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सं० १६]

नई दिल्ली, शनिवार, अप्रैल १९९७/चैत्र २९, १९१९

No. 16]

NEW DELHI, SATURDAY, APRIL 19, 1997/CHAITRA 29, 1919

इस भाग में विश्व पृष्ठ संख्या की जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड ३—उप-खण्ड (iii)

PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासनों को छोड़कर) द्वारा जारी किये गये आवेदन और अधिसूचनाएं

Orders and Notifications issued by Central Authorities (other than the Administrations of Union Territories)

भारत निवाचन आयोग

आदेश

नई दिल्ली, ७ अप्रैल, १९९७

आ.आ. ८३.—यतः निवाचन आयोग का समाधान हो गया है कि लोक सभा के साधारण निवाचन, १९९६ के लिए जो स्तम्भ (२) में विनिर्दिष्ट निवाचन-क्षेत्र से हुआ है, स्तम्भ (३) में उसके सामने विनिर्दिष्ट निवाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, १९५१ तथा तड़ीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (४) में यथा दर्जित आगामे निवाचन व्ययों का लेखा दाखिल करने में या विद्वि द्वाग अपेक्षित रीति से दाखिल करने में असफल रहा है;

अतः यतः उक्त अभ्यर्थियों ने सम्यक् सचना दिए जाने पर शी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निवाचन आयोग का यह समाधान ही गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः अब, निवाचन आयोग उक्त अधिनियम की धारा १०क के अनुसरण में नीचे की सारणी के स्तम्भ (३) में विनिर्दिष्ट व्यक्तियों वो संसद के किसी भी सदन के या किसी राज्य/संघ राज्य-क्षेत्र की विधान सभा अथवा विधान परिषद् के मध्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करना है।

सारणी

क्र० सं० संसदीय/विधान सभा निवाचन- निवाचन लड़ने वाले अभ्यर्थी का नाम और पता निरहित का कारण
क्षेत्र की क्र० सं० और नाम

1

2

3

4

1. ३३-मेडक

श्री मितुपरी रामचन्द्रेया,

म.न० २-३-४१/२ सदामिक्षपेट, मेडक जिला,

आनंद प्रदेश

निवाचन व्ययों का लेखा दाखिल करने में

असफल रहे

(325)

1	2	3	4
2.	मेडक	श्री मनो चिजय रुमार, सिंगोर (ग्रा.) पुल्कल (म.) मेडक जिला, आन्ध्र प्रदेश	निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे
3.	—कही—	श्री वेगार्णी तश्मीया, सिरगापुर (ग्रा.) कलहेर (म.) मेडक जिला, आन्ध्र प्रदेश	विधि द्वारा अपेक्षित गति से लेखा शाखिल करने में असफल रहे

[सं० 76/आन्ध्र प्रदेश/स००स०/97]

आदेश में,

बाबू राम, सचिव

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 7th April, 1997

O.N. 83.—Whereas, the Election Commission is satisfied that the contesting candidates specified in column (3) of the Table below at the General election to the House of the People, 1996 held from the constituency specified in column (2) against his/her name has failed to lodge an account of his/her election expenses or in the manner required by law, as shown in column (4) of the said table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations if any, made by him/her is satisfied that he/she has no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in column (3) of the Table below to be disqualified for being chosen as and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No. & Name of the Parliament Constituency	Name of the Contesting Candidates	Reason for Disqualification	
(1)	(2)	(3)	(4)
(1) 33—Medak	Shri Minupoori Ramchandraiah, H. No. 2-3-41/1, Sadasivpet, Medak District, Andhra Pradesh.	Failed to lodge the account of election expenses.	
(2) -01-	Shri Manne Vijaya Kumar, Singoor (V), Pulkal (M) Medak District, Andhra Pradesh.	-d-2-	
(3) -02-	Shri Begari Laxmaiah, Sirgapur (V), Kalheir (M), Medak District, Andhra Pradesh.	Failed to lodge the account of election expenses in the manner required by law.	

[No. 76/AP-HP/97]

By order,

BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अप्रैल, 1997

आ.अ. 84.—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट गोवा लोक सभा के साधारण निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके मामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अध्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है,

और, उक्त अध्यर्थियों ने सम्यक् सचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा किए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः, अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट अवक्त्रों को संमिल के किसी भी सदन के या किसी राज्य/संघ राज्य-क्षेत्र की विधान सभा अथवा विधान परिषद् के तद्वीन चुने जाने और होने के लिए आदेश की गारीबी में तीन वर्ष की कालावधि के लिए निरहित घोषित करता है

क्र.सं.	निर्वाचन का विवरण	मंसदीय निर्वाचन-क्षेत्र की क्र.सं. और नाम	नियोजन लड़ने वाले आम्यर्थी का नाम और पता	निरहेता का कागण
1	2	3	4	5
1.	लोक सभा के लिये माध्यारण निर्वाचन, 1996	2-मोरमुगांग्रो	ग्रन्थुल अब्बास शेख म.नं. 674, चन्द्रायाड फैटरोडा, मारगांग्रो, गोवा	निर्वाचन व्ययो का कोर्ड भी नेखा दार्शिल करने में असफल रहे।
2.	—वटी—	—वटी—	डायग कन्सटेन्टीनो शाहगंगीना, म.नं. 230/ए, पटकिंग भाट, कोटेलिम, गोवा	—वटी—
3.	—वटी—	—वटी—	डी. मैलो जोग एम.सी., म.नं. 17, पीकमम डोचरिम, खेनिवाडो, वास्को-डे-गामा, गोवा	—वटी—
4.	—वटी—	—वटी—	पामस बारिंडो, म.नं. 57, ब्रोह्यापुर, सनगंगेम, गोवा	—वटी—
5.	—वटी—	—वटी—	केमाई जयवन्त सादा, म.नं. 1373/3, कुलवाडो, कोनकोगिम, सलकाटे, गोवा	—वटी—
6.	—वटी—	—वटी—	फुरटाडो ग्नोरिया रामारिंग्रो, म.नं. 423, कममाने, कवेंट-गोवा	—वटी—
7.	—वटी—	—वटी—	गमकुण्ड सीताराम जोर्णी, म.न. 276/ए, साकोरडा, गोवा- 403406	विधि द्वारा अपेक्षित रीति में नेखा दार्शिल करने में असफल रहे।

[म. 76/गोवा/96]

आदेश सं.

वाब राम, मचिव

ORDER

New Delhi, the 7th April, 1997

O.N. 84.—Whereas, the Election Commission of India is satisfied that each of the contesting candidate specified in column 4 of the Table below at the General Election to the Lok Sabha from Goa specified in column 2 and held from the constituency specified in column 3 against his/her name has failed to lodge the account of his/her election expenses as shown in column 5 of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice by the Election Commission or after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure :

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the persons specified in column 4 of the Table below to be disqualified for being chosen as and for being a member of either house of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

S. Particulars of Elections No.	S. No. & Name of Parliamentary Constituency	Name & Address of the contesting candidate	Reasons for disqualification	
1	2	3	4	5
1. General Elections to Lok Sabha, 1996	2—Mormugao	Abdul Abhas Shaikh, H. No. 674, Chandrawado Fatroda, Margao, Goa.	Failed to lodge any account of election expenses.	
	-do-	-do-	Dias Constantino Crispino, H. No. 230/A, Patkeabhat, Cortaim, Goa.	-do-
3.	-do-	-do-	D'Mello Jose M.C., H.No. 17, Pixem Dongrum, Khairevaddo, Vasco-da-Gama, Goa.	-do-
4.	-do-	-do-	Thomas Barreto, H.No. 57, Boilaput, Sanguem—Goa.	-do-
5.	-do-	-do-	Desai Jaiwant Sada, H. No. 1373/3, Culwaddo, Cuncolim, Salcete, Goa.	-do-
6.	-do-	-do-	Furtado Glorio Rosario, H. No. 423, Cusmane, Quopcm—Goa.	-do-
7.	-do-	-do-	Ramkrishna Sitaram Joshi, H. No. 276/A, Sacorda, Goa—403406.	Failed to lodge the account of election expenses in the manner required by law.

[No. 76/GOA-HP/96]
By Order,
BABU RAM, Secy.

मई दिल्ली, 7 अप्रैल, 1997

आ. अ. 85.—भारत निर्वाचन आयोग 1991 की निर्वाचन अर्जी सं. 3 में उच्च न्यायालय के सुन्दर (श्रीरामगढ़ पोठ) के तारीख 10 फरवरी, 1992 के निर्णय के विरुद्ध दाखिल 1995 की मिविल अर्जी सं. 673008 में उच्चतम न्यायालय के तारीख 10 अप्रैल, 1996 के आदेश को लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 116ग की उपधारा (2) के खण्ड (ख) के अनुसरण में इसके डारा प्रकाशित करता है।

(आदेश अधिसूचना के अंग्रेजी भाषा में छपा है)

[सं. 82/महा. न्या. म./3(91)/93(श्रीरामगढ़)]

आदेश से,
बाबू राम, मन्त्री

New Delhi, the 7th April, 1997

O.N. 85.—In pursuance of clause (b) of Sub-section 2 of section 116-C of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the Order, dated 10th April, 1996 of the Supreme Court of India in Civil Appeal No. 6730 of 1995 filed against the judgement dated 10th February, 1992 of High Court of Judicature at Mumbai (Aurangabad Bench) in Election Petition No. 3 of 1991.

IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION CIVIL APPEAL

NO. 6730/95

Pratap Ganpatrao Bangar. . .Appellant

Versus

Ashick Anandrao Deshmukh & Ors.

. . . Respondents

ORDER

infructuous. It is accordingly dismissed. No costs.

In view of the fact that respondent Nos. 13, 15, 20, and 21 remained exparte in the High Court, notices to them are dispensed with. The High Court dismissed the Election Petition under section 86 of the Representation of People Act. In view of the fact that the term of the present Lok Sabha is going to expire by the end of June 1996, we do not express any opinion on the merits as contended for the appellants in the Election Petition on corrupt practices. The appeal has become

Sd./-
(K. RAMASWAMY)
Sd./-
(S. P. BHARUCHA)
Sd./-
(K. S. PARIPOORNAN).

New Delhi,
April 10, 1996.

[No. 82/MT-HP/3(91)/93 (Aurangabad)]

By Order,
BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अप्रैल, 1997

आ.म. 86.—यतः निर्वाचन आयोग का समाधान हो गया है कि तमिलनाडु विधान सभा के निर्वाचन के लिए जोनींचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (3) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, खोक प्रतिनिधित्व प्रधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (4) में यथा दर्शित अपने निर्वाचन व्यक्तियों का लेखा दाखिल करने में असफल रहा है;

ओर यतः उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए कोई कारण अधिक अपेक्षित नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

यतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट अक्षियों को संसद के किसी भी सदन के या किसी राज्य विधान सभा प्रथम विधान परिषद के सदस्य चुने जाने और होने के लिए उस आदेश की तारीख में तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

आ.सं. विधान सभा निर्वाचन-क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरहित का कारण	
1	2	3	4
1. 191—पुडु कोटाई	सर्वे श्री/मुश्ती गणेश राम ए. 18—कामगाजपुरम 5वीं स्ट्रीट, पुडुकोटाई, तमिलनाडु	कोई भी लेखा दाखिल नहीं किया	
2. ——वही—	कन्धार एम 425, हाउसिंग प्रूनिट राजगोपाल पुरम तमिलनाडु	—वही—	
3. ——वही—	सर्वश्री/मुश्ती षणमुगम नायन वी, 1625/26, नार्थ तीसरी स्ट्रीट, पूडुकोटाई, तमिलनाडु	—वही—	
4. ——वही—	सामीनाथन एस. कोविलपट्टी, पूडुकोटाईप्पा तिसगोकार नाम तमिलनाडु	—वही—	
5. ——वही—	थीलागवाती प.स. 38, कालोंसेल्वी इनाम, थोरा नगर, 8वीं स्ट्रीट पूडुकोटाई, तमिलनाडु	—वही—	

1.	2.	3.	4.
6	191 पुडुकोटाई	पेरियासीमी ए. 174 मुलाईप्पाथी कोई भी लेखा दाखिल नहीं किया कडायाकुडी (पो. आ.) तमिलनाडु	
7	—वही—	रमेश एस. 1129 ईस्ट नायन स्ट्रीट, पुडुकोटाई, तमिलनाडु।	—वही—
8	—वही—	रवि. पी. 4 कोइलपट्टी ओल्ड रुटीट, तिरुगोकारनाम तमिलनाडु	—वही—
9	—वही—	राजा एम. 27, कामराजपुरम, 28 स्ट्रीट पुडुकोटाई, तमिलनाडु	—वही—
10.	130—ओडान्चालम	शक्तिवेल एन. मुपुत्र नलनागामी गाउडर 38, शान्ताकोविल स्ट्रीट, अम्बीलीकुडी प्राम, ओडान्चालम	—वही—
11.	—वही—	मुबारामण वी. मुपुत्र वंकीलीअप्पन, 449, पालापट्टी, वल्लीपट्टी तालुक तमिलनाडु	—वही—
12.	—वही—	पश्चिमसेल्वम ए. मुपुत्र अहयुग गाउडर, कान्डप्पा गाउडन वालमु, ओपामपट्टी (पी. आ.) ओडान्चालम तमिलनाडु	—वही—
13.	130—ओडान्चालम	पश्चिमसेल्वम के. मुपुत्र कन्दन, 154-डी, एस. ग्रथीकोम्बाई, ओडान्चालम, तमिलनाडु	—वही—
14.	—वही—	गमासामी के. मुपुत्र रूपाना गाउडर 3 सान्थाकोविल स्ट्रीट अम्बीली कन्दन, ओडान्चालम तमिलनाडु	—वही—
15.	—वही—	रेंगासामी पी. मुपुत्र पालानी, 154/बी सलाईपुट्टुर अथिकोम्बाई (पो.आ.) ओडान्चालम तमिलनाडु	—वही—
16.	—वही—	जयकुमार के. मुपुत्र कृष्ण गाउडर पेरे वालमु काप्पलपट्टी (पी. आ.) ओडान्चालम, तमिलनाडु	—वही—

[म. 76/तमिलनाडु-वि. स./97]

आदेश से,
बाबू राम, सचिव

ORDER

New Delhi, the 7th April, 1997

O.N. 85.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (3) of the Table below at the Election to the Tamil Nadu Legislative Assembly, 1996 held from the Constituency specified in column (2) against his/her name has failed to fodge an account of his/her election expenses as mentioned in column (4) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failures even after due notice to each of them and the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 110A of the said Act, the Election Commission hereby declares the person specified in column (3) of the Table below to be disqualifiable for being chosen and for being a member of either House of the Parliament or the Legislative Assembly of the Union or the Council of a State for a period of 3 years from the date of this order.

TABLE

S. No. & Name of Assembly No. Constituency	Name and address of the contesting candidate	Reason for disqualification	
1	2	3	4
1. 191—Pudukkottai	S/Sh/Ms. Ganesh Ram A, 18—Kamarajapuram, 5th Street, Pudukkottai, Tamil Nadu.	Accounts not lodged at all	
2. -do-	Kandhan M., 425, Housing Unit, Rajagopalapuram, Tamil Nadu.	-do-	
3. -do-	Shaumuganathan V. 1625/26 North, 3rd Street, Pudukkottai, Tamil Nadu.	-do-	
4. -do-	Saminathan S., Kovilpatti, Pudukkudiyirruppu, Thirugokarnam, Tamil Nadu.	-do-	
5. -do-	Thilagavathy S., 38, Kalaselvi Illam, Bose Nagar 8th Street, Pudukkottai, Tamil Nadu.	-do-	
6. -do-	Periasamy A., 174, Soolaippatti, Kadayakudi (P.O.) Tamil Nadu.	-do-	
7. -do-	Ramesh S., 1129, East Main Street, Pudukkottai, Tamil Nadu	-do-	
8. -do-	Ravi P. 4, Koilpatti Old, Street, Thirugokarnam, Tamil Nadu.	-do-	
9. -do-	Raja M. 27 Kamarajapuram, 28th Street, Pudukkottai, Tamil Nadu.	-do-	
10. 130—Oddanchatram	Sakthivel N., S/o Nallasamy Gounder, 38, Santhakovil Street, Ambilikai Village, Oddanchatram, Tamil Nadu.	-do-	
11. -do-	Subramani. V., S/o Vankiliappan 449, Palapatti, Vallipatti (PO), Vedasandur Taluk, Tamil Nadu.	-do-	

1	2	3	4
12.	130-Oddanchatram	Panneerselvam, A. S/o Arumugamouder, Kandappagounden—Valasu, Thoppampatti (PO), Oddanchatram, Tamil Nadu.	Accounts not lodged at all
13.	-do-	Panneerselvam, K. S/o Kandan, 154/D, S. Athicombai, (P.O.) Oddanchatram, Tamil Nadu.	-do-
14.	-do-	Ramasamy K. S/o Karuppana Gounder, 3, Santhakovil Street, Ambilikai, Oddanchatram, Tamil Nadu.	-do-
15.	-do-	Rengasamy P. S/o Palani, 154/V Salaiupudur, Athicombai (PO), Oddanchatram, Tamil Nadu.	-do-
16.	-do-	Jeyaram K. S/o Kuppanagounder, Parai Valasu, Kappalpatti (PO), Oddanchatram, Tamil Nadu.	Accounts not lodged in manner required by law.

[No. 76/TN-LA/97]
By Order,
BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अप्रैल, 1997

आ.न्र. 87—यतः निर्वाचन आयोग का समाधान हो गया है कि 19—यहानचवाड़ी विधान सभा निर्वाचन-क्षेत्र से पांडिचेरी विधान सभा के लिये 1996 में हुए साधारण निर्वाचन का लड़ने वाले अभ्यर्थी, श्री एन. अजेवर, नं. 21 मिडल स्ट्रीट वीमाकादमपलायम, पांडिचेरी-9, लोक प्रतिनिधित्व प्रतिनियम, 1951 और उसके अधीन बनाये गये नियमों द्वारा यथा अपेक्षित अपने निर्वाचन व्यर्थों का लेखा दाखिल करने में असफल रहे;

और, यतः, उक्त अभ्यर्थी ने सम्यक् सुचना दिये जाने पर भी उक्त असफलता के लिये कोई कारण अधिक स्पष्टीकरण नहीं दिया है श्रीर निर्वाचन आयोग का समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायोचित नहीं है,

अतः, अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10क के अनुसरण में उक्त श्री एन. अजेवर को संसद के किसी भी सदन के या किसी राज्य प्रथासंघ राज्य

क्षेत्र की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित धोपित करता है।

[म. 76/पांडिचेरी-वि.स./97]
प्रादेश से,
बाबू राम, सचिव

ORDER

New Delhi, the 7th April, 1997

O.N. 87.—Whereas the Election Commission is satisfied that Shri N. Ajevar, No. 21-Middle Street, Veemakavundanpalayam, Pondicherry-9 a candidate who contested the General Election to the Pondicherry Legislative Assembly from 19-Thattauvahavy Assembly Constituency held in 1996, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidate has not furnished any reason or explanation for the said failure even after due notice, and the Election Commission is satisfied that he has no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the said

Shri N. Ajeyar, to be disqualified for being chosen as and for being a member of either House of the Parliament or of the Legislative Assembly 'X' Legislative Council of a State or Union Territory for a period of 3 years from the date of this order.

[No. 76/POND-LA/97]
By Order,
BABU RAM, Secy.

तर्फ दिल्ली, 7 अप्रैल, 1997

आ. अ. 88.—भारत निर्वाचन आयोग, 1991 की निर्वाचन अर्जी सं. 2 में उच्च न्यायालय मुम्बई (नागपुर खण्ड पीठ) के तारीख 5-3-1992 के निर्णय के विरुद्ध दायित्व 1992 की सिविल अपील संख्या 4205 में उच्चतम न्यायालय के तारीख 14 मार्च, 1996 के आदेश को लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 116 की उपधारा 2 के खण्ड (ख) के अनुसरण में इसके बारा प्रकाशित करता है।

(आदेश अधिसंचय के अन्तर्गत भाग में छपा है।)

[मं. 82/महा-लो.स./2(91)/93(नागपुर)]
आदेश से,
बाबू राम, सचिव

New Delhi, the 7th April, 1997

O.N. 88.—In pursuance of clause (b) of Sub-section 2 of Section 116C of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the Order, dated 14th March, 1996 of the Supreme Court of India in Civil Appeal No. 4205 of 1992 filed against the judgement dated 5th March, 1992 of High Court of Judicature at Mumbai (Nagpur Bench) in Election Petition No. 2 of 1991.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No. 4205 of 1992

Sudhakar Ramkrishna Gangane.Appellant

Versus

Pandurang Pundlik Pundkar & Ors.Respondents.

ORDER

It is fairly stated by the learned counsel for the appellant that the appeal has become infructuous since the term of the Assembly has expired by efflux of time.

The appeal is accordingly dismissed. No costs.

Sd./-
[K. Ramaswamy, J.]
Sd./-
[S. P. Bharucha, J.]
Sd./-
[K. S. Paripoornan]

New Delhi,
March 14, 1996.

[No. 82/MT-HP/2(91)/93 (Nagpur)]
By Order,
BABU RAM, Secy.

तर्फ दिल्ली, 10 मार्च, 1997

आ. अ. 89.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में भारत निर्वाचन आयोग 1996 द्वी निर्वाचन मं. 3 में ईरनाकुलाम उच्च न्यायालय, ईरनाकुलाम के तारीख 30-9-1996 के निर्णय को एतदद्वारा प्रकाशित करता है।

[निर्णय अन्तर्गत अनुवाद में छपा है]

[मं. 82/केरल-नो.०८०/३/९६]
आदेश से,
बाबू राम, सचिव

New Delhi, the 10th March, 1997

O.N. 89.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby published the judgement dated 30th September, 1996 of the High Court of Judicature, Ernakulam in Election Petition No. 3 of 1996.

APPENDIX

Petitioner's Annexures.

1. Annexure-I-recounting petition filed on behalf of the petitioner.
2. Annexure-II-proceeding of the Returning Officer dated 9-5-1996 rejecting the recounting petition of the petitioner.

Court Exhibit.

Ext. XI-true copy of the election petition served on the first respondent and produced by counsel for 1st respondent before court.

In the High Court of Kerala at Ernakulam

PRESENT :

The Honourable Mr. Justice P. K. Balasubramanyan.

Moday the 30th September, 1996/.

Election Petition No. 3 of 1996

PETITIONER :

K. Karunakaran, Son of Smt. Kalyani Amma, Murali Mandir, Poontakunnam, Trichur.

By Advs. M/s. S. Narayanan Poti and John Varghese.

RESPONDENTS :

1. Shri V. V. Raghavan, son of Velappan Valiaparambil Chelat Lane, Trichur.
2. Shri K. K. Arjunan, son of Kumaran. Kokkini Veedu Pulazhi P. O.
3. Shri K. K. Katunakaran, son of Krishnan Gandhi Varsha Kendram (Sai Sadan) Ayyanthole P. O.
4. Shri M. S. Kunjunni, Advocate, son of Sarikaran Maleppathu Veedu, Chiramanengadu P. O.
5. Shri Tholathu Gregory Kochu, son of Iype Kochu Tholathu Veedu, Kozhikode Road, Kunnamkulam.
6. Shri M. S. Chandras Prakash son of Madakkalil Sankunny Inchumudi P. O.
7. Shri Kundukulangara Chakkunni, son of Anthony alias Kechappan, Tholur P. O
8. Shri Chacko George, son of George Joseph, Peedikaparambil Varanam P. O., Alappuzha.
9. Shri C. J. John, son of Jose, Veluthoor P. O.
10. Shri F. D. Joseph, son of Devassy, Panakkadan Veedu Mulakunnathukavu P. O.
11. Shri Divakaran Pallathu, son of Ayyappan Kutty Pallathu Veedu, Velloppadam P. O.
12. Shri Devassy Chovalloor, son of Kochappan, Chevvalloor House Palayoor, Chavakkad P. O.
13. Shri Mukundan Parakkad, son of Apputty, Marankulangara Veedu P. O. Elavally.
14. Shri M. S. Menen (M. Sivarama Menon) Son of Kochu Govindan, Chanduvarathu Veedu, P. O. Puthoor.
15. Smt. Rania Raghuvandan, Keezh Veettil Smtithi, Akkikkavu P. O. Kunnamkulam.
16. Shri Vadukkoot Raghavan, Son of Govindan, 5/680, Sreepriya Vadukkoot Veedu, Chembukkavu.
17. Shri Thooppil Rajanpan, son of Kesavan, Poliyathu Veedu P. O. Thekkumkara, Wadakkancherry.
18. Shri Ramanandan, son of Jagadeesan, Kanoli Veedu Edathuthuthi P. O.
19. Shri Sunuy Pavaratty (Puthran) Son of Mathai Anthai Anthony Vadakkoot House, Pavaratty P. O.

R-1 by Advs. M/s. K. Balakrishnan, Reajith Thampan and I Sheela Devi.

R-9 by Advs. M/s. K. K. M. Sheriff, K. K. Jayasurian and P. M. Mohammed Shifraz.

R-12 by Advs. M/s. N. J. Johnson and

The above Election Petition having been heard on 16-9-1996 the court on 30-9-1996 passed the following :—

P. K. Balasubramanyan, J. E. P. No. 3 of 1996.

ORDER

This Election Petition at the instance of the petitioner, a defeated candidate challenges the election of the first respondent from No. 9 Trichur Parliamentary Constituency essentially on the ground that on a proper re-count after scrutiny of all the ballot papers polled including the ballot papers rejected as invalid and if the actual number of valid votes polled by the petitioner and the first respondent are ascertained, the petitioner would be entitled to be declared elected from that constituency. According to counsel for the petitioner, there is no allegation of corrupt practice in the Election Petition and the Election Petition is therefore not supported by any affidavit in that behalf. In fact learned counsel for the Election Petition is fairly submitted that this was an Election Petition based on the ground available under Section 100(1)(d) (iii) of the Representation of the People Act. On behalf of the petitioner, an application for re-count was filed before the Returning Officer by his election agent immediately after the Returning Officer declared that the petitioner had obtained 3,07,002 votes and the first respondent had obtained 3,08,482 votes. Copy of the application for re-count submitted before the Returning Officer is marked as Annexure-I in the Election Petition. Annexure-I was rejected by the Returning Officer by Annexure-II order and he proceeded to declare respondent No. 1 as duly elected. It is in that context that the petitioner has approached this court with this Election Petition.

2. In the Election Petition, based on his personal knowledge (paragraphs 1, 2 and 6 are based on personal knowledge) the petitioner has alleged that he was a candidate contesting the seat as a candidate of the Indian National Congress (I), that there were two fronts contesting the election as also the Bharathiya Janatha Party and certain independent candidates. The other front was the Left Democratic Front. The main contest in the election was between the parties of the United Democratic Front represented by the petitioner and of the Left Democratic Front represented by the first respondent. The poll was taken on 27-4-1996. The Lok Sabha Constituency consisted of seven Kerala Legislative Constituencies. The petitioner has given the names of those Constituencies. The counting of the ballot papers for the Lok Sabha as well as the seven Legislative Assemblies were actually conducted in seven different places. The petitioner has given details of the counting centres in respect of each Assembly segment of the Parliamentary Constituency in which he was the candidate. It is alleged that after the counting of the votes in each of those centres was completed, tabulated sheets showing the number of votes polled for each candidate, number of votes rejected as invalid were forwarded by the respective Assistant Returning Officers to the office of the Returning Officer for No. 9 Trichur Parliamentary Constituency. At that office number of votes

sidered valid were added in respect of each of the candidates and it was declared that the petitioner had obtained 3,07,002 votes including the postal votes and the first respondent had obtained 3,08,482 valid votes. Reference is then made to the Election Agent of the petitioner Sri Sidharthan Kattungal submitting an application for re-count of the votes by scrutinising the ballot papers, inspecting them and making a proper and correct counting so that the genuine and real result of the election could be found out. It is stated that the irregularities and illegalities committed during the counting of the votes at the 7 stations included improper rejection of valid votes obtained by the petitioner as invalid, acceptance as valid votes of the first respondent, votes that were invalid, fraud and manipulated mixing during the bundling of votes into bundles of 25 each by inserting the votes received by the petitioners in the bundles of the first respondent. A copy of the application for re-count is produced as Annexure-I and the order of the Returning Officer is marked as Annexure-II. It is submitted that Annexure-II was vitiated by non-application of the Returning Officer to the genuine complaints (it appears to me that the word 'of mind' has been omitted after the words 'non-application'). In paragraph 6 it is stated that considering the fact that in the matter of counting of votes in the election, the number to be counted is very large and accuracy of counting is absolutely essential, instructions had been issued that absolute accuracy should be ensured by providing that at the table of the Returning Officer/Assistant Returning Officer, 5% of the bundles of ballot papers of the different contesting candidates shall be counted. It is stated that this was not done in any of the 7 counting centres probably due to the prolongation of the counting and lack of time. It is submitted that this was imperative in this case because throughout the process of counting the number of votes counted for the two main contesting candidates were more or less proceeding equally. This close neck to neck race between the two main contesting candidates was also an added incentive to the counting staff of pro-left minded to manipulate the counting as in the circumstances a slight deviation from the correct counting would tilt the scale in favour of the first respondent. The averment's in paragraphs 3 to 5 of the Election Petition made out of knowledge obtained through the enquiries made by the petitioner and from the persons mentioned in paragraphs 2 and 3 and believed by the petitioner to be true refer to the counting done at 7 different counting stations. There is an allegation that the staff assigned for counting namely the Counting Supervisors and Counting Assistants were mainly composed of members of the the NGO Union and some other staff organisations with left leanings. The direction of the Election Commission to post as far as practicable, Gazetted Officers as Supervisory staff was given the go by. From the very start of counting it was found that manipulations were made by the counting staff to favour the first respondent. Counting tables were overcrowded with scant facility for the counting agents to verify the correctness of the selection of the ballot papers for being put into the respective compartments of the candidates. In several cases, the ballot papers of the petitioner were put into the compartments of independents. When this was detected and complained about, the matter was rectified. But it was not possible to detect several other such cases. Similarly, there were

instances when the ballot papers of the petitioner were bundled in bundles of 25 alongwith the bundles of the first respondent. There again, when the mistake was pointed out, it was rectified on occasions. But it was not possible to keep track with the long drawn out counting to detect all cases of such mistakes of (or?) frauds. The names of the counting agents of the petitioner at various centres is given and it is said that those agents had narrated to the petitioner several irregularities committed adversely to the petitioner and they had also told him that they were helpless in rectifying the improprieties because of the hostile attitude of the counting staff and that the Assistant Returning Officers were not willing to give them a fair hearing. It is asserted that the sorting of the ballot papers were concluded only by the evening of 8th May and therefore the actual counting could commence only in the night and continued for several hours so that large scale manipulations of the sorting and bundling of votes could not be carefully watched for preventing mistakes and frauds. On the information furnished by the counting agents, more than 15000 votes rightfully polled for the petitioner were either assigned to the first respondent or to other candidates or wrongly rejected as invalid though marked for the petitioner. The procedure followed on the table of the Assistant Returning Officer is also averred to have been adverse to the petitioner. It is said that though at Manalur, Cherpu and Nattika counting stations, objections were raised by the Counting Agents, the Assistant Returning Officers silenced the objections on the ground that, if they have got any complaint, it should be filed before the Returning Officer after the ballot count is completed, by way of re-count application. Many votes polled for the petitioners were rejected as untenable on flimsy grounds contrary to the instructions of the Commission contained in the pamphlet showing illustrative cases of valid and invalid ballot papers. Several votes of the petitioner were rejected on the ground of some smudge in some part of the ballot paper or some impression of the mark caused by the folding of the ballot paper. The protests of the counting agents were rejected without properly verifying the rightfulness of the complaints. It was apprehended by the petitioner that several valid votes polled for the petitioner have been erroneously rejected as invalid on account of the lack of care bestowed on scrutinising the ballot papers properly. In paragraph 5 of the petition reference is made to the result sheets being forwarded to the Central Counting Station from the 7 counting centres after conclusion of counting. It is stated that Sri Sidharthan Kattungal who attended the finalisation of the Lok Sabha results as the election agent of the petitioner was left helpless as he could neither verify the invalidity or validity of the ballot papers either taken into account or rejected for particular candidates, nor could he raise any complaint regarding the actual mistakes committed in the 7 different counting stations or the manipulations made at those stations as he was not present at those stations when the counting was done. A reference is made to the announcement of the total number of valid votes polled for the respective candidates and the filing of an application by Sri Sidharthan Kattungal as the election agent for a recount. The narration of the agent that the counting was done in 7 different stations, that the actual sorting out could start only in the night, that

there were large scale manipulations in sorting and bundling of votes and proper opportunity not being afforded for rectifying the mistakes and the rejection of the valid votes polled by the petitioner as invalid are set out. It is said that considering the fact that it was not open for the counting agents to apply for recount at the 7 counting stations and further considering the fact that at the place where the application for recount could be made namely, the central station at the Collectorate, the election agents could not be aware of the manipulations and mistakes at the counting centres, the Returning Officer should have, in fairness, allowed the application for recount at the difference was only 1400 and odd votes in a case where nearly 7,00,000 votes had been polled. It is then stated that in Kodakara Assembly Centre after counting was completed, the Assistant Returning Officer announced that the petitioner had a lead of 1397 votes which was noted down by all the counting agents of all the parties but at the Central Station it appeared that the lead of the petitioner was shown only as 1297 a discrepancy which had not been explained. The petitioner submits that he believes that if a proper scrutiny and inspection of the ballot papers treated as valid and of the ballot papers 15000 and odd in number which had been rejected as invalid is ordered by this court, the petitioner would be found to have obtained more valid votes than the first respondent.

3. The first respondent in his written objection has inter alia pleaded that the Election Petition filed does not satisfy the requirements of Sections 81 and 83 of the Act. He has also pleaded that the Election Petition does not disclose any cause of action and is therefore liable to be dismissed under Order 7 Rule 11 of the Code of Civil Procedure read with Sections 81, 83 and 87 of the Representation of the People Act. It is submitted that having regard to Section 100(1)(d)(iii) read with Section 83 of the Act, the petitioner should have given the specific number of votes, details of the counting tables etc. and the reason for the improper rejection or reception. The petitioner has not pleaded any of those particulars in this case. The petitioner has made only vague allegations of a general nature without even giving any specific instances or particulars. Such allegations could not even be legally taken note of. Even if such general allegations are repeated in oral evidence that would not be sufficient to grant any of the prayers made in the petition. The petitioner could not prove what he had not pleaded. It is therefore submitted that the Election Petition does not disclose any cause of action and the Election Petition deserves to be dismissed. It is also pointed out that apart from the omission to comply with the legal requirements of pleadings regarding the alleged irregularities with specific details and particulars in the matter of reception or rejection of votes, the petitioner had nowhere pleaded how the said irregularities have materially affected the result of the election. It is stated that in the absence of such pleading the Election Petition is liable to be rejected at the threshold. It is contended that the attempt of the petitioner is to hold a roving enquiry to fish out materials. Such a course of action is impermissible in an election petition. It is therefore submitted that the election petition is liable to be rejected as one not disclosing any cause of action. It is further contended

that the petitioner had not verified the petition in accordance with law. The date of receipt of the petition is seen to be 15-6-1996. The copy of the election petition served on the First respondent is not attested to be true under the signature of the petitioner as mandated under Section 81(3) of the security deposit is seen to be 18-6-1996 while the date of the Act. The election petition was therefore liable to be dismissed on that ground. The election petition was vague and since the petitioner was claiming a recount, the alleged irregularities in the counting with sufficient details and particulars so as to enable the first respondent to know in advance what is the case of the petitioner that he has to meet and could defend not having been set out the election petition was not maintainable and the question of maintainability may be heard and decided as a preliminary point.

4. At this stage I may also refer to the notice of recrimination filed by the first respondent. In that notice while stating the facts the first respondent had alleged that since the election petitioner was a former Chief Minister and at the time of the election, a Cabinet Minister in the Central Government, the counting staff always resolved the disputes when there was a doubt regarding the validity of a vote in favour of the election petitioner. During the Chief Ministership of the election petitioner, most of the officers of the Thrissur District in various departments were handpicked and appointed by him and the criteria for their posting was their absolute loyalty and subservience to him. The aforesaid officers were manning the counting. As a result several votes cast for the first respondent which were treated as doubtful by the counting staff, when taken to the concerned Assistant Returning Officers were rejected as invalid whereas the doubtful votes claimed to be cast for the petitioner, were mostly declared as valid. It is then pleaded that the first respondent had got information regarding this aspect from the various counting agents referred to in that notice. It is asserted that from the reports received from the counting agents the first respondent understood that about 200 invalid votes in which the seals were affixed on the dividing line between the symbols of the petitioner and another candidate were counted as valid votes in favour of the election petitioner against the norms circulated in that regard by the Election Commission. About an equal number of votes which should have been counted in favour of the first respondent were treated as invalid on the ground that the seal was affixed in between the dividing lines though the major part of the seal fell in the column of the first respondent. This irregularity was mostly committed during the last round of counting by the Assistant Returning Officers of the constituencies referred to in that notice to help the election petitioner when it became apparent that he was going to be defeated. The first respondent came to know about it from the counting agents referred to in the notice of recrimination. Different yardsticks were applied by the Assistant Returning Officers which had considerably reduced the majority of the first respondent. The first respondent therefore submits that if for any reason this court were to order an inspection and recount of the ballot papers then all the valid votes of the first respondent which were treated as invalid may also be counted as his valid votes and all the invalid votes which were treated

as valid votes of the petitioner should be treated as invalid and discarded. I have referred to this notice in some detail because of an argument raised by counsel for the petitioner that the allegations in this notice itself substantiate his contention that there were manipulations in counting and that must also be taken note of while considering whether the election petition discloses a cause of action.

5. The first respondent also filed C.M.P. 2730 of 1996 praying that the election petition be dismissed on the preliminary grounds referred to in the affidavit in support of that petition. It is stated in the affidavit that the election petition does not disclose any cause of action as has been stated in detail in the written objection filed by the first respondent. The allegations regarding the counting of votes in the election petition had been made without any bona fides and that would be evident from Annexure-I. No *prima facie* material had been placed by the petitioner for proceeding with the case. The election petition did not disclose any of the grounds available under Section 100 of the Act. The election petition had not been verified properly. The copy served on the first respondent is not certified as true copy under the signature of the petitioner. The trial of the election petition on merits would be an abuse of process of court resulting in harassment to the first respondent. It was therefore expedient and necessary that this court ought to dismiss the election petition as disclosing no cause of action and as one filed not in compliance with Sections 81 and 83 of the Representation of the People Act. A counter affidavit has been filed to this petition as well as to the recrimination. It is asserted therein that the election petition does disclose a cause of action. The manipulations made by the counting staff and the mistakes committed by them have been narrated in detail in the election petition. The Assistant Returning Officers and the Returning Officer also did not do justice. The reasons which justify recount are furnished in the election petition and therefore there was no merit in the petition of the respondent to dismiss the Election Petition. The written statement submitted by the first respondent does not contain sufficient materials to deny relief to the petitioner in the election petition. The allegation that the election petitioner was trying to get a roving enquiry was not correct. Since the race was neck to neck, that gave the counting staff an incentive to help the first respondent by manipulating the count. Certain facts stated in the written objection are then disputed by the petitioner. It is stated that as the actual counting of the ballot papers were made at different places the election agent of the election petitioner who made the recount application could not get the details of the irregularities and manipulations made in the various centres where the counting took place and therefore his application did not contain sufficient details. When lakhs of ballot papers are counted apart from the fact that errors are likely to occur, when counting staff who are biased in favour of the first respondent are making the count, it will be easy for them to commit irregularities and it is not humanly possible to know the numbers of the ballot papers or other minute details. But it is clear from the recrimination submitted by the first respondent himself that the counting staff, supervisory staff and the AROs and RO were prone to deviate from the right path in the matter of coun-

ting of votes or deciding the validity or otherwise of the votes. The allegation that the various officers in Trichur District were hand picked by the election petitioner and their criteria for appointment was loyalty to himself is alleged to be made by the first respondent without the least regard for truth. It is asserted that most of the Assistant Returning Officers were persons appointed after the election petitioner left the post of Chief Minister. The same was the case with the Returning Officer who was also appointed only after the petitioner left the post of Chief Minister. Only the Assistant Returning Officers of Guruvayoor and Nattika were persons who are Assistant Returning Officers even during the time of the petitioner's Chief Ministership. But none of those had any reason for any loyalty or nearness to the petitioner as stated by the first respondent. It is added that all the averments made regarding the illegalities, irregularities and mistakes made during the counting set out in the election petition were fully correct and a recount by inspecting and counting will prove that fact. All the illegalities and frauds mentioned in the Election Petition were committed by the counting staff and supervisory staff. It is admitted that M. V. Kurian was not the counting agent of the petitioner at Ollur and it was one M. C. Francis Mecheri. But it is asserted that M. V. Kurian was also there as the counting agent of the assembly candidate of the U.D.F. front and it is on the basis of his information that the election petitioner had prepared the election petition because he was also fully aware of the details. The various other allegations in the written objection are also denied and the allegations made in the recrimination are also denied. They are not being set out in detail because they are not relevant for the present purpose.

6. On the basis of these pleadings ten issues were settled by this court on 2-9-1996. In view of the preliminary contentions raised, as agreed to by counsel, issues 1 to 3 formulated were taken up for consideration as preliminary issues. Issues 1 to 3 are the following:—

1. Is the Election Petition not maintainable in law for the reasons stated in paragraphs 1 to 6 of the written statement of the first respondent?
2. Whether the Election Petition has been filed in accordance with the applicable provisions of the Representation of the People Act?
3. Whether the Election Petition discloses any cause of action which requires to be tried, especially in the absence of any pleading that the alleged irregularities in counting have materially affected the results declared by the Returning Officer?"
7. Elaborate arguments were heard on these preliminary issues. To establish the objection based on non-compliance with Section 81(3) of the Act, the first respondent has produced one of the two copies of the election petition served on him from this court at the time of hearing and his counsel has subsequently filed a memo praying that the said copy may be received as part of the record. For a satisfactory disposal of the contention based on want

of compliance with Section 81 of the Act and for answering issue No. 2 in a manner more satisfactory to the conscience of the court, I have marked the copy served on the first respondent and produced by his counsel before court as Ext. X1. Since the absence of a proper cause of action in the election petition is specifically covered by issue No. 3 and can be dealt with separately, I think it appropriate to consider issues 1 and 2 together with reference to the question whether the election petition calls for a rejection under Section 86(1) of the Act.

Issues 1 and 2.

8. In the original election petition relief (a) claimed by the petitioner is one for ordering a recount after scrutinising the ballot papers polled and prayer (b) is for a declaration that the petitioner has been duly elected if it is found that the petitioner had obtained more valid votes than the first respondent. Prayer (b) as typed in the original election petition and in the copy Ext. X-1 is to the following effect :—

"If it is found that the petitioner has obtained more valid votes than the 1st respondent, then, to declare the petitioner as having been duly elected, and".

That 'and' as per the typed prayer is related to prayer (c) which seeks the award of costs to the petitioner. But, in the original election petition the petitioner has added in writing after the words 'and' the following words 'to declare the election of the 1st respondent as void' and initialled the same. But, these words written subsequently are not added to prayer (b) in Ext. X-1 copy served on the first respondent. But it is submitted by Senior Counsel Shri T. R. Govinda Warrier appearing on behalf of the first respondent that the other copy served on the first respondent from the court in terms of Rules 210 and 211 of the Rules of the High Court of Kerala does contain the addition of the written words 'to declare the election of the first respondent as void'. The defect pointed out therefore is that one of the copies served on the first respondent does not contain prayer (b) set out in the election petition in full and consequently the said copy cannot be said to be a true copy as understood in Election Law as explained in *Murarka Radhey Shyam v. Roop Singh* (A. I. R. 1964 SC 1545), *Mithilesh Kumar Pande v. Baidyanath Yadav* (1984 (2) SCR 278) and *Dr. (Smt.) Shipra v. Shantilal Khoiwal* (JT 1996 (5) SC 643). If Ext. X-1 alone is taken into consideration, I may be inclined to find some force in this submission. But since admittedly another copy containing the written portion in prayer (b) was also served on the first respondent, I am of the view that it would be proper to hold that a true copy of the election petition in so far as it relates to prayer (b) has been served on the first respondent so as to satisfy the requirements of Section 81 (3) of the Act. This objection based on the absence of the written addition to prayer (b) found in the original election petition but not found in the copy Ext. X-1 is therefore overruled.

9. It is contended that whereas the election petition is seen signed and verified on the 15th day of June, 1996, the security in terms of Section 117 of the Act was deposited only on 18-6-1996 and in the signature and verification made on 15-6-1996 the date of the chalan receipt is shown as 18-6-1996 and therefore it is clear that on the day the election petition was signed by the petitioner, he could not have included the details about the chalan receipt nor could he have verified the fact that he had deposited the security. This is so and could have been of some consequence but for another important fact. The fact is that the election petition was filed by the election petitioner on 21-6-1996 before this court, in person and at that time he was in a position to furnish the date of chalan receipt furnished as security. In my view therefore the fact that the chalan receipt contains a date subsequent to the date on which the election petition itself was signed cannot be made a ground for holding that the election petitioner has not complied with the requirements of Section 117 of the Act or that it was signed or verified at a time when the security had not been deposited by the election petitioner. The filing of the election petition by the petitioner in person on 21-6-1996 deprives this objection of its vitality. I therefore overrule that objection as well. The next contention urged is that there is no signature at the bottom of the election petition certifying that it is a true copy and though the signature of the petitioner is found at the bottom of the earlier pages of the election petition, there is no endorsement to the effect that the pages are true copies. In Ext. X-1 at the end of the election petition the petitioner has affixed his signature in original at the place where the election petitioner had signed the original election petition in his capacity as the petitioner and he has also signed in original at the place indicated for the petitioner to sign at the bottom of the verification. To the left of the signature of the petitioner there is also initial of his advocate. In between the signature of the Advocate and that of the petitioner the word 'true copy' is also written. The contention on behalf of the first respondent is that the absence of an endorsement in the various pages of the election petition that that page is a true copy of the original and in the absence of a third signature at the end of the election petition indicating that it is a true copy of the original, the election petition cannot be said to be in compliance with Section 81 (3) of the Act. It is pointed out that the two signatures affixed in original at the two places in the copy are merely reproductions of the signature in the original and they are not intended to convey the information that what is served on the first respondent is a true copy of the original. In other words it is contended that the signatures are not in attestation of the fact that the copy is a true copy but is merely a reproduction of the signature in the original signifying that the original has been signed by the petitioner. This technical contention could be said to be correct if viewed in a highly technical manner. But as has been held by the Supreme Court in *Ch. Subbarao v. Member, Election Tribunal* (A. I. R. 1964 SC 1027) mere failure to insert the words 'true copy' before or above the signature which is put in the copy could not be held to be a failure to comply with Section 81 (3).

of the Act and if a signature is affixed at the bottom and in original at the appropriate place, it could be treated as sufficient compliance with the requirements of the Act, I am inclined to take the view that the affixing of the signature at the bottom of each page by the election petitioner in the copy as well as affixing his signature in original in two places at the end of the election petition in the copies served is substantial compliance with the requirements in that behalf and consequently the election petition cannot be dismissed on that ground.

10. The other contention raised on behalf of the first respondent is that there is no proper verification of the Annexure as required by Section 83(2) of the Act. It is pointed out that the Annexures are not verified by the election petitioner except to declare that the same is Annexure-I in the election petition. It is also pointed out that in the copy at the end of Annexure-I, there is no second signature certifying that it was a true copy of the original. But it is seen that at page 12 of the copy served (page 1 of Annexure-I) there is an endorsement that was the document marked as Annexure-I in the election petition and there is a signature at the bottom of it by the election petitioner. Similarly at the bottom of Annexure-II the election petitioner has only verified that it is Annexure-II in the election petition. It is contended that there is no verification of the contents of those annexures. It is also contended that at the bottom of none of the annexures there is an endorsement that it is a true copy and there is no endorsement underneath the challan to certify that it was a true copy of the original. On a scrutiny of Ext. X-1 I find that there is a verification of the Annexure as true copy of the annexure produced alongwith the election petition and there is also a verification though technically it may be said that it is not a verification of the contents of the annexure but only indicating that it is the annexure marked in the election petition. But since at best it could be said that there is a technical defect in the verification and a failure to specifically attest as true copy, which argument I have already dealt with, in this context, it can only be said that there is a failure to comply with Section 83(2) of the Act. It is now well settled that failure to comply with Section 83 of the Act does not lead to a dismissal of the election petition under Section 86(1) of the Act. [See *Manohar Joshi v. M. B. Patil* (A.I.R. 1996 SC 796). Moreover in my view the verification and the affixture of signature in original at the end of the annexures substantially satisfy the requirements of law in that behalf and the election petition could not be dismissed on that ground.

11. It is finally contended that the allegations against the Returning Officer and the Assistant Returning Officers really is in the realm of corrupt practice and consequently the election petition ought to have been supported by an affidavit in terms of Section 83 of the Act. Section 123 (7) of the Act was emphasised in that context to indicate that the allegations would amount to allegations of corrupt practice and the election petition is bad for want of an affidavit in support of the election petition. Mr. S. Naravanan Poti, counsel appearing for the election petitioner specifically submitted that the

election petitioner was not seeking any relief based on corrupt practice and the election petitioner was seeking relief only in terms of Section 100(1)(d) (iii) of the Act. In view of this position, I do not find any merit in the contention raised on behalf of the first respondent.

12. Thus on issue No. 2 I hold that the election petition is in substantial compliance with the requirements of Sections 81, 82 and 117 of the Act and is not liable to be rejected under Section 86(1) of the Act. Issue No. 1 also is answered in favour of the petitioner to the extent it relates to this aspect.

Issue No. 3.

13. It is contended on behalf of the first respondent that the election petition is liable to be rejected for want of a cause of action for a recount on the basis of irregularity in counting. It is in this context that I have set out in the beginning in some detail the pleadings in the election petition. According to counsel for the first respondent, the averments in the election petition are general and the election petition does not contain sufficient particulars so as to make out a cause of action for recounting. This is sought to be controverted by counsel for the election petitioner who has tried to show that there were sufficient averments in the election petition to constitute a cause of action for the relief claimed.

14. But, before I deal with this aspect, one line of argument attempted by counsel for the election petitioner has to be dealt with. Learned counsel contended that the scrutiny and recount of the ballot papers is sought for on the ground of the irregularities committed by the officers entrusted with the task of counting and the Assistant Returning Officers at the various centres. Learned counsel submits that this averment of the petitioner stands admitted by the pleadings of the first respondent in the notice of recrimination served on him. It is pointed out that the first respondent has also agreed that there were irregularities in counting and votes which ought to have been rejected as invalid have been treated as valid and those which ought to have been treated as valid though in his favour have been rejected as invalid. He therefore submits that the petitioner has not only demonstrated that there was a cause of action for ordering recount but in fact on the notice of recrimination served on behalf of the first respondent he has even established a case for scrutiny and recounting by this court. Learned counsel for the first respondent argued in answer that the existence or otherwise of a cause of action while considering whether the election petition is liable to be rejected for failure to disclose a cause of action has to be decided on the basis of the pleadings in the election petition and not on the basis of the pleadings in the written statement. He also points out that in the written objections filed by the first respondent there is no admission of any irregularity in the process of counting. The allegations regarding impropriety in election and reception of certain votes was made only for the purpose of recrimination and question of recrimination would arise only if the petitioner succeeds in his election petition in establishing the cause of action put forward by him and in that process, the question whether the election petition discloses a cause of action has to be decided merely based on the averments

in the election petition. Counsel relied on the decision of the Supreme Court in *Jabar Singh v. Genda Lal* (A.I.R. 1964 SC 1200) in support of this position. He in particular referred to paragraph 13 of that judgment reading :—

"If the returned candidate has recriminated and has raised pleas in regard to the votes cast in favour of the alternative candidate or his votes wrongly rejected, then those pleas may have to be tried after a declaration has been made under S. 100 and the matter proceeds to be tried under S. 101(a). In other words, the first part of the enquiry in regard to the validity of the election of the returned candidate must be tried within the narrow limits prescribed by S. 100(1) (d)(iii) and the latter part of the enquiry which is governed by S. 101(a) will have to be tried on a broader basis permitting the returned candidate to lead evidence in support of the pleas which he may have taken by way of recrimination under S. 97(1)."

He also referred to the decision of the Supreme Court in *Ram Autar v. Ram Gopal* (A.I.R. 1975 SC 2182) wherein the Supreme Court referring to the reliance on additional pleas made in an election petition falling under Section 100(1)(d)(iii) of the Act stated as follows :

"If we may say so with respect, in taking these additional pleas into account, the Learned Judge completely misdirected himself. He overlooked the fact that these pleas were irrelevant to and beyond the scope of the enquiry into the allegations in the election petition falling under Sec. 100(1)(d)(iii) of the Representation of the People Act, 1951. These "Additional Pleas" were in the nature of recriminatory pleas which could not be investigated in this election petition. As clarified by this court in *Jabar Singh v. Genda Lal* (1964) 6 SCR 540-AIR 1964 SC 1200 the scope of the inquiry in a case under Section 100(1)(d)(iii) is to determine whether any votes had been improperly cast in favour of the returned candidate or any votes had been improperly refused or rejected in regard to any other candidates. These are the only two matters which would be relevant for deciding whether the election of the returned candidate had been materially affected or not. At such an enquiry the burden is on the petitioner to prove his allegations. In fact Sec. 97(1) of the Act has no application to a case falling under Section 100(1)(d)(iii). The scope of the enquiry is limited for the simple reason that what the clause requires to be considered is, whether the election of the returned candidate has been materially affected and nothing else."

It is true that in a composite election petition wherein the petitioner claims not only that the election of the returned candidate is

void but also that the petitioner or some other person be declared to have been duly elected, Section 97 would also come into play and allow the returned candidate to recriminate and raise counter-pleas in support of his case, "but the pleas of the returned candidate under Section 97 have to be tried after a declaration has been made under Section 100 of the Act. The first part of the enquiry in regard to the validity of the election of the returned candidate has therefore to be tried within the narrow limits prescribed by Section 100(1)(d)(iii) and the latter part of the enquiry governed by Section 101(a) will have to be tried on a broader basis permitting the returned candidate to lead evidence in support of the pleas taken by him in his recriminatory petition; but even in such a case the enquiry necessary while dealing with the dispute under Section 101(a) will not be wider if the returned candidate has failed to recriminate and in a case of this type, the duty of the Election Tribunal will not be to count and scrutinise all the votes cast at the election".

(emphasis supplied).

In the light of these two decisions of the Supreme Court I am inclined to the view that the notice of recrimination becomes relevant or is liable to be taken note of, only if and when, the petitioner pleads and proves a case for a fresh scrutiny in accordance with the requirements of Section 100(1)(d)(iii) of the Act. I am also impressed by the submission that the existence or otherwise of a cause of action in a plaint requires to be decided on the basis of averments in the plaint and not based on what may be contained in the written statement of the defendant. I am therefore not in a position to accept the contention of learned counsel for the petitioner Mr. S. Narayanan Poti that while considering whether the petitioner has made out a cause of action in his election petition, the court must also take note of the notice of recrimination taken out by the first respondent.

15. In the written objection filed to the election petition the first respondent has only denied the various averments of the petitioner. Even in the notice of recrimination the allegation is mainly that the various officials had only attempted to help the election petitioner and had always resolved disputes regarding validity or invalidity of votes in favour of the election petitioner and against the first respondent. The first respondent has also specified that there were particular irregularities during the last round of counting and he has referred to 200 invalid votes which were treated as votes of the petitioner whereas votes of a similar nature in his favour were rejected as invalid. This allegation in the notice of recrimination divorced from its context cannot be treated as an admission by the first respondent that there were various irregularities in counting as averred by the petitioner. These averments, in my view, cannot supply the omission, if there is omission in the election petition, to make out a cause of action for the election petitioner. It is therefore necessary for me to consider whether the averments in the election petition make out a cause of action for relief based on Section 100(1)(d)(iii) of the Act.

16. The law on the point has been settled by a series of decisions of the Supreme Court though most of them were decisions rendered after the trial of the election petition itself. In *Bhagwati Prasad v. Rajiv Gandhi* (A.I.R. 1986 SC 1534) the Supreme Court, after referring to the decision in *Charanlal Sahu v. Giani Zail Singh* (A.I.R. 1984 SC 409) has held as follows:—

“It is now well settled that in election petitions pleadings have to be precise, specific and unambiguous and if the election petition does not disclose a cause of action, it is liable to be rejected in limine.”

That was a case where the election petition was rejected at the threshold. The same view was expressed in the decision in *Azhar Hussain v. Rajiv Gandhi* (A.I.R. 1986 SC 1253) wherein it was held that an election petition can be and must be dismissed under the provisions of Civil Procedure Code if the mandatory requirements enjoined by Section 83 of the Act to incorporate the material facts and particulars relating to the alleged corrupt practice in the election petition are not complied with. The Code of Civil Procedure applies to the trial of an election petition by virtue of Section 87 of the Act. Since the Code of Civil Procedure is applicable, the court trying the election petition can act in exercise of the powers under the Code including Order 6, Rule 1, and Order 7, Rule 11(a). The fact that Section 83 does not find a place in Section 86 of the Act which authorises dismissal of election petitions in certain contingencies does not mean that powers under the Code of Civil Procedure cannot be exercised. An election petition can be summarily dismissed if it does not furnish a cause of action in exercise of the powers under the Civil Procedure Code. It was also observed that the contention that even if the election petition is liable to be dismissed ultimately, it should be so dismissed only after recording evidence and not at the threshold is thoroughly misconceived and untenable. It is therefore clear that the court has not only the right to reject an election petition on the ground that it does not disclose a cause of action but has also a duty to do so considering the fact that the filing of an election petition is a statutory right conferred by the statute and is not a common law right as clarified by the Supreme Court in *Jyoti Basu v. Debi Ghosal* (A.I.R. 1982 SC 983). The argument therefore that the question of sufficiency of pleading or the entitlement of the petitioner to get relief in the election petition can be decided after the evidence is taken especially in the context of the notice of recrimination cannot be accepted.

17. Learned counsel for the first respondent referred to the decision of the Supreme Court in *Jitendra Bahadur v. Krishna Behari* (A.I.R. 1970 SC 276) and compared the averments in that election petition with the present and contended that even such allegations were not present in the present case. In that decision after setting out the relevant rules in the conduct of election Rules and the entitlement of the candidate to appoint an election agent the court observed:—

873 GI 197—3

“....under the rules before a vote is rejected the agents of the candidates must be permitted to examine the concerned ballot paper. Therefore it was quite easy for them to note down the serial number of the concerned ballot papers. The election petition is silent as to the inspection of the ballot papers or whether the counting agents had noted down the serial numbers of those ballot papers or whether those agents raised any objection relating to the validity of those ballot papers; if so who those agents are and what are the serial numbers of the ballot papers to which each one of them advanced their objections these again are the material facts required to be stated.”

It was further stated that if the allegations in the election petition are purported to have been founded on the information given by others, someone must take direct responsibility for those allegations and if the scrutiny of ballot papers was sought on the basis of assertions which were neither accompanied by a statement of material facts nor supported by any evidence, the claim could not be upheld. In *Bhabhi v. Sheo Govind* (A.I.R. 1975 SC 2117) the Supreme Court after referring to the earlier decisions on the question, laid down the following conditions as imperative before a court could grant inspection, or for that matter sample inspection, of the ballot papers:

- (1) That it is important to maintain the secrecy of the ballot which is sacrosanct and should not be allowed to be violated on frivolous, vague and indefinite allegations;
- (2) That before inspection is allowed, the allegations made against the elected candidate must be clear and specific and must be supported by adequate statements of material facts;
- (3) The Court must be *prima facie* satisfied on the materials produced before the Court regarding the truth of the allegations made for a recount;
- (4) That the court must come to the conclusion that in order to grant prayer for inspection it is necessary and imperative to do full justice between the parties;
- (5) That the discretion conferred on the Court should not be exercised in such a way so as to enable the applicant to indulge in a roving inquiry with a view to fish materials for declaring the election to be void; and
- (6) That on the special facts of a given case sample inspection may be ordered to lend further assurance to the *prima facie* satisfaction of the court regarding the truth of the allegations made for a recount, and not for the purpose of fishing out materials”.

I do not think it necessary to multiply authorities on this question but only to refer to two or three decisions of this court on that question. In the

decision in P. C. George v. Returning Officer [1987 (2) K.L.T. 842], after referring to the decisions of the Supreme Court in AIR 1964 SC 1249, AIR 1966 SC 773, AIR 1974 SC 283 and AIR 1984 SC 396, this court has held :—

"Section 83(1)(a) of the Act is mandatory and it requires that the petitioner should give a precise statement of the material facts on which he relies. The word 'material' shows that the facts necessary to formulate a complete cause of action must be stated. The omission of a single material fact leads to an incomplete cause of action. The purpose of the Section is to call upon the petitioner to give a full picture of the cause of action with such further information so as to make the opposite party to understand the case that he will have to meet."

The same learned Judge, Pareed Pilay, J. (as he then was) has considered the question again in the judgment in P. K. Gopi v. P. K. Raghavan and others, E. P. 17 of 1987 emphasising the need for pleading regarding material particulars. The view was reiterated by Mr. Justice Padmanabhan in the decision in Ramachandran Kadannapalli v. K. P. Noorudeen (A.I.R. 1988 Ker. 141). In my order in E. P. 5 of 1996 which I dismissed at the preliminary stage on the ground that the election petition did not disclose sufficient cause of action for relief under Section 100(1)(d)(iii) of the Act, I have referred to some of the earlier decisions and I have taken the view that it is necessary for the election petitioner to plead precisely facts which are material to constitute a cause of action within the meaning of Section 100(1)(d)(iii) of the Act.

18. In the light of these authorities, what falls for decision is whether on the pleadings in the election petition, the petitioner has made out a cause of action. It must be stated that except pleading generally that the various officers entrusted with the duty of counting were inclined to favour the first respondent and that some of the votes which could have been found to be valid votes in favour of the petitioner have been rejected as invalid and that some of the invalid votes have been treated as valid votes in favour of the first respondent, the petitioner has not referred to any specific instance of irregularity in reception and rejection of votes. As observed by the Supreme Court in Jitendra Bahadur's case it would have been easy for the petitioner to give details. His agents would have been in a position to scrutinise the ballot papers as and when objections arose in respect of that and in terms of the relevant rules they might have had ample opportunity to note even the numbers of those ballot papers. Even assuming that the petitioner is not bound to set out the particulars of the ballot papers which according to him were either improperly rejected or improperly accepted, it was necessary for the petitioner to plead at least some particular instances or some particular tables or the particular counting centres where such irregularities had taken place. The petitioner himself has stated that wherever objections were raised and the objections were found tenable,

mistakes were corrected then and there. In that context, allegations regarding the improper rejection of valid votes and improper reception of invalid votes lack material particulars. Similarly the allegation of bias against the counting officers is made generally. No specific instance or no particular officer concerned with the counting has even been named by the petitioner in that regard. It would not be possible for the first respondent to meet a case regarding bias on the part of any particular officer without the election petitioner precisely pointing out which officer was responsible or pointed out the specific instance or instances where such improper acts have taken place. The third allegation regarding the votes polled for the petitioner being bundled with the votes polled in favour of the first respondent again is too general and there is no mention of any particular instance when such a thing had happened. There is also no mention of any particular instance when such an irregularity was brought to the notice of the concerned Assistant Returning Officer or any other officer and which was not rectified then and there. The mere allegation that on the information furnished by the counting agents of the petitioner more than 15000 votes originally polled for the petitioner were either assigned to the first respondent or to other candidates or wrongly rejected as invalid though marked for the petitioner, in my view is too general and cannot be considered specific pleading to support an election petition for relief under Section 100(1)(d)(iii) of the Act. The only other allegation is that 5% of the bundles of ballot papers of the different contesting candidates was not verified in terms of the instructions issued in that behalf by the Election Commission. This allegation again is general and there is nothing to indicate that any of the agents of the petitioner had asked for such a verification. In fact, the averments in the petition tends to disclose that since the margin between the candidates was not substantial, extreme care was being taken during the counting of the ballots. In that situation, one would have normally expected the election petitioner though not based on his personal information but certainly based on information given to him by his election agents to set out the precise details of irregularities in the reception and rejection of votes or in the counting or in the bundling of ballot papers. Read as a whole, in my view the averments in the election petition do not satisfy the requirements of Section 83 of the Act as expounded by the Supreme Court in the various decisions of that court. Even in Annexure-I, application for recount made by the election agent of the petitioner, claim of recount is based on a general statement that it had come to the notice of the agent that there were large scale manipulations in sorting and bundling of votes and the bundles marked for the first respondent contained ballots marked for the petitioner and no opportunity was given to verify the same and that there seems to be 15000 invalid votes and many votes marked for the petitioner were treated as invalid and rejected votes. Even if one were to agree with counsel for the petitioner that the election agent was not in a position to set out all the details while making the application for recount before the Chief Returning Officer in the scheme of things that was followed in the counting, certainly the petitioner had

ample opportunity to verify and gather details regarding these matters and to set them out in the election petition. On a reading of the election petition as a whole I am constrained to hold that the election petitioner has not pleaded the material facts in precise details which alone would enable this court to grant his prayer provided those pleadings are also substantiated in evidence. It is not open to this court, as has been repeatedly indicated by the Supreme Court, to order a recount of the votes merely to find out whether on such recount the petitioner may be able to show that he was the candidate who has won the election. The pleadings in the election petition do not make out a cause of action for ordering a recount as prayed for by the petitioner. On issue No. 3 therefore I find that the election petition does not disclose a cause of action for relief under Section 100 (1) (d) (iii) of the Act and hence is liable to be rejected.

In view of my finding on issue No. 3, I am constrained to reject this election petition under Section 83 of the Act read with Order 7 Rule 11 (a) of the Code of Civil Procedure.

Since the election petition is being dismissed on the preliminary ground, in exercise of my discretion, I direct the parties to suffer their respective costs.

The Registrar shall intimate the substance of this decision to the Election Commission and the Speaker of the Lok Sabha without delay and shall send to the Election Commission an authenticated copy of this decision as soon as possible as required by Section 103 of the Act.

30th September, 1996.

Sd./-

(P. K. BALASUBRAMANYAN, Judge).

[No. 82] K. L.-H.P.[3]96]

By Order,
BABU RAM, Secy.

आदेश

नई दिल्ली, 7 मार्च, 1997

आ.आ. 90.—जबकि, निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथाविनिर्दिष्ट अप्रैल, 1996 में हुए हरियाणा राज्य विधान सभा के साधारण निर्वाचन के लिए जो स्तम्भ (3) में तदनुस्पी विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है, के स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, तोक प्रतिनिधित्व अधिनियम, 1951 तथा तदोन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथादर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है,

और जबकि, उक्त अभ्यर्थियों ने सम्पूर्ण सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायालीकरण नहीं है,

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट अवक्षितों को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए आदेश की तारीख से तीन वर्ष की कालावधि के लिए एनद्वारा निर्भित घोषित करता है।

सारणी

क्र.सं.	निर्वाचन का विवरण	निर्वाचन क्षेत्र की क्रम सं. तथा नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरहंता का कारण
1	2	3	4	5
1.	हरियाणा राज्य की विधान सभा के लिए साधारण निर्वाचन, 1996	17—पानीपत	श्री रणजीत, 192, प्रकाश राम कालोनी, पानीपत, हरियाणा।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
2.	—वही—	18—सम्भालका	श्री श्याम लाल, पुत्र श्री राम किशन, पुरानी गड़ मण्डी, सम्भालका, जिला पानीपत, हरियाणा	—वही—

1	2	3	4	5
3.	—वही—	18—सम्भालका के लिए साधारण निर्वाचन, 1996	श्री गोवर्धन, गांव व डा. उप्राधेड़ी, जिला पानीपत, हरियाणा।	निर्वाचित व्ययों का कोई भी नेवा दाखिल करने में असफल रहे।
4.	—वही—	—वही—	श्री बलजीत, गांव व डा. राजाखेड़ी, जिला पानीपत, हरियाणा।	—वही—
5.	—वही—	—वही—	श्री रघुवीर सिंह, गांव व डा. नामुण्डा, जिला पानीपत, हरियाणा।	—वही—
6.	—वही—	—वही—	श्री राकेश, गांव व डा. सनौली चुर्दे, जिला पानीपत, हरियाणा।	—वही—
7.	—वही—	—वही—	श्री रामसिंह, गांव नगला पार, जिला पानीपत, हरियाणा।	—वही—
8.	—वही—	19—नौत्था	श्री श्रोम प्रकाश, गांव व डा. शाहपुर, तह. व जिला पानीपत, हरियाणा।	—वही—
9.	—वही—	—वही—	श्री जय किशन, गांव व डा. इसराना, पानीपत, हरियाणा।	—वही—
10.	—वही—	—वही—	श्री प्रताप सिंह, गांव माण्डी, पानीपत, हरियाणा।	—वही—
11.	—वही—	—वही—	श्री बलवान सिंह, गांव व डा. अहर, पानीपत, हरियाणा।	—वही—
12.	—वही—	—वही—	श्री महावीर सिंह गांव पाथरी, पानीपत, हरियाणा।	—वही—
13.	—वही—	22—थानेसर	श्री अमरनाथ, मकान नं. 118/7, लालडवा, हरियाणा।	—वही—
14.	—वही—	—वही—	श्री पवन कुमार पुत्र हाकमराय, मिगलानी क्लॉथ हाऊस, थानेसर, हरियाणा।	—वही—
15.	—वही—	—वही—	श्री वेद प्रकाश, गांव व डा. मथाना, हरियाणा।	—वही—
16.	—वही—	—वही—	श्री सुरेश कुमार, मकान नं. 521, सैकटर 13, कुरुक्षेत्र हरियाणा।	—वही—

1	2	3	4	5
17.	हरियाणा राज्य की विधान सभा के लिए साधारण निर्वाचन, 1996	38—बरोदा (प्र. जा.)	श्री उपेन्द्र, गांव व डा. बोहर, तह. व जिला रोहतक, हरियाणा।	निर्वाचन व्ययों का कोई भी नेत्रा दाखिल करने में असफल रहे।
18.	—वही—	—वही—	श्री तारा चन्द पुत्र श्री देशराज, म. नं. 14, वार्ड नं. 6, कस्बा गढ़ीर, जिला सोनीपत, हरियाणा।	—वही—
19.	—वही—	—वही—	श्री लखी चन्द, म. नं. 69, वार्ड नं. 12, विष्वकर्मा कालोनी, गोहाना, जिला सोनीपत, हरियाणा।	—वही—
20.	—वही—	41—सोनीपत	श्री अनिल, मकान नं. 836, शर्मा कुटीर, नजदीक सिटी हॉस्पिटल, सोनीपत, हरियाणा।	—वही—
21.	—वही—	—वही—	श्री चन्दन सिंह, 778/27, बैंस्ट रामनगर, सोनीपत, हरियाणा।	—वही—
22.	—वही—	—वही—	श्री रामधारी, गांव डा० जुहा नं० १, सोनीपत, हरियाणा।	—वही—
23.	—वही—	—वही—	श्री विजय कुमार, म. नं. 97, भरतपुरी, सोनीपत, हरियाणा।	—वही—
24.	—वही—	—वही—	श्री शाम लाल, म. नं. 169, सैक्टर 14 सोनीपत, हरियाणा।	—वही—
25.	—वही—	—वही—	श्री हुक्म चन्द, म. नं. 848, वार्ड नं. 15, सोनीपत, हरियाणा।	—वही—
26.	—वही—	42—राई	श्री ईश्वर, गांव व डा. असदपुर, तह. व जिला सोनीपत, हरियाणा।	—वही—
27.	—वही—	—वही—	श्री कृष्ण चन्द, गांव जांजल, डा. कुण्डपुर, तह. व जिला सोनीपत, हरियाणा।	—वही—
28.	—वही—	—वही—	श्री धर्मपाल, गांव नांगल खुर्द, डा. कुमासपुर, तह. व जिला सोनीपत, हरियाणा	—वही—

	2	3	4	5
29.	हरियाणा राज्य की विधान सभा के लिए साधारण निर्वाचन, 1996	42—राई	श्री सत्यवान, मं. नं. 482, गांव अकबरपुर, बारोटा, सह. व जिला सोनीपत, हरियाणा।	निर्वाचन व्यर्यों का कोई भी लेखा दाखिल करने में असफल रहे।
30.	—वही—	—वही—	श्री मुरेन्द्र, म. नं. 295/1, वार्ड नं. 8, क्षज्जर, जिला सोनीपत, हरियाणा।	—वही—
31.	—वही—	49—जुलाना	श्री टेकराम, गांव व डा. वुआना, तह. व जिला जीन्द, हरियाणा।	—वही—
32.	—वही—	—वही—	श्री रामरत्न, गांव व डा. रामराय, तह. व जिला जीन्द, हरियाणा।	—वही—
33.	—वही—	—वही—	श्री सूरजभान, पुत्र श्री फतेह सिंह, गांव देश खेड़ा, डा. जुलाना, तह. व जिला जीन्द, हरियाणा।	—वही—
34.	—वही—	—वही—	श्री स्वरूप सिंह, म. नं. 68/15, सुभाष नगर, रोहतक रोड, जीन्द, हरियाणा।	—वही—
35.	—वही—	50—सफीदों	श्री इन्द्र, गांव उरलाना कलां, पानीपत, हरियाणा।	—वही—
36.	—वही—	—वही—	श्री जगदीश, गांव मुआना, तह. सफीदों, जिला जीन्द, हरियाणा।	—वही—
37.	—वही—	—वही—	श्री जय भगवान, सफीदों शहर, जिला जीन्द, हरियाणा।	—वही—
38.	—वही—	—वही—	श्री पालाराम, गांव रामनगर, तह. सफीदों, जिला जीन्द, हरियाणा।	—वही—
39.	—वही—	—वही—	श्रीमती बलजीत कौर, गांव कुरड, तह. सफीदों, जिला जीन्द, हरियाणा।	—वही—
40.	—वही—	—वही—	श्री रमेश चन्द्र, गांव मलार, तह. सफीदों, जिला जीन्द, हरियाणा।	—वही—
41.	—वही—	—वही—	श्री रामसरूप, गांव खेड़खेमावसी, तह. सफीदों, जिला जीन्द, हरियाणा।	—वही—

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42.	हरियाणा राज्य की विद्यान सभा के लिए साधारण निवाचन, 1996	50—सफीदों	श्री विनोद कुमार, पुत्र खुशीराम, सफीदों शहर, जिला जीन्द, हरियाणा।	निर्वाचन व्ययों का कोई भी लेखा वाखिल करने में असफल रहे।
43.	—वही—	—वही—	श्री विनोद कुमार, पुत्र सूरजभान, सफीदों शहर, जिला जीन्द, हरियाणा।	—वही—
44.	—वही—	—वही—	श्री हरिकिशन, सफीदों शहर, जिला जीन्द, हरियाणा।	—वही—
45.	—वही—	51—फरीदाबाद	श्री अमर, वी. — 40, संजय कालीनी, सैकटर— 23, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
46.	—वही—	—वही—	श्री अमर सिंह म. नं. 502, संजय कालीनी, सैकटर— 23, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
47.	—वही—	—वही—	श्री अशोक पुत्र चमनलाल, 5 एम— 32, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
48.	—वही—	—वही—	श्री किशन सिंह, गांव व डा. सीकरी, तह. बल्लबगढ़, फरीदाबाद, हरियाणा।	—वही—
49.	—वही—	—वही—	श्री चूष्णी लाल, एफ 133, प. सी. नगर, एन. आई. टी. फरीदाबाद, हरियाणा।	—वही—
50.	—वही—	—वही—	श्री जगतार सिंह, 1 जे 8, एन. आई. टी. फरीदाबाद, हरियाणा।	—वही—
53.	—वही—	—वही—	श्री जगदीप, 5 के 109, न्य टाइनशिप, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
52.	—वही—	—वही—	श्री जगदीप चन्द्र, 1 एफ 47, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—

1	2	3	4	5
5.3	हरियाणा राज्य की विधान सभा के लिए साधारण निर्वाचन, 1996	5.1—फरीदाबाद	श्री दिनेश, 5 जे/4, एन. आई. टी., फरीदाबाद, हरियाणा।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
5.4.	—वही—	—वही—	श्री देवी लाल, म. न. 312/श्री, जवाहर कालोनी, 60 फूट रोड, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
5.5.	—वही—	—वही—	श्री दौजी राम, म. न. डी., वार्ष 400, आदर्श कालोनी, पलवल, हरियाणा।	—वही—
5.6.	—वही—	—वही—	श्री नेम चन्द, म. न. 3625, जवाहर कालोनी, 60 फूट रोड, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
5.7.	—वही—	—वही—	श्री प्रदीप कुमार, 5 सी/98, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
5.8.	—वही—	—वही—	श्री प्रभु नाथ, इ-1175, डुश्युआ कालोनी, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
5.9	—वही—	—वही—	श्री प्रह्लाद सिंह, 5-के 112, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
6.0	—वही—	—वही—	श्री वैरी, 2-ई 203, फरीदाबाद, हरियाणा।	—वही—
6.1.	—वही—	—वही—	श्री महेन्द्र सिंह, प्लाट नं. 119, नांगला एन्कलेच पाट—2, नजदीक गाजीपुर, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
6.2	—वही—	—वही—	श्री मोहम्मद आफनाब, म. न. 643, ए. सी. नगर, नीलम बाटा, फरीदाबाद, हरियाणा।	—वही—
6.3.	—वही—	—वही—	श्री रतीराम, गांव गाजीपुर, जिला फरीदाबाद, हरियाणा।	—वही—

1	2	3	4	5
64.	हरियाणा राज्य की विधान सभा के लिए साधारण निवाचिन, 1996	51—फरीदाबाद	श्रीमती राधा पत्नी अमरनाथ, 1 3/2, नंगला प्लाट, टाइप डी, वार्ड नं. 2, एन. आई. टी., फरीदाबाद, हरियाणा।	निवाचिन व्यवों का फोई भी लेखा दाखिल करने में असफल रहे।
65.	—वही—	—वही—	श्रीमती राधा पत्नी गोविन्द राम, 1—शी—13, बी. पी. एन. आई. टी. फरीदाबाद, हरियाणा।	—वही—
66.	—वही—	—वही—	श्री राम सरन, म. नं. 223, संजय कालोनी, स्लाक ई—1, ग्राम गोच्छी, फरीदाबाद, हरियाणा।	—वही—
67.	—वही—	—वही—	श्री रिजक सिंह, गांव गाजीपुर, जिला फरीदाबाद, हरियाणा।	—वही—
68.	—वही—	—वही—	श्री लियाकत अली, म. नं. 129, गांव गोच्छी, डा. गोच्छी, तह. बलबगठ, फरीदाबाद, हरियाणा।	—वही—
69.	—वही—	—वही—	थी संजय, 2 ई—112, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
70.	—वही—	—वही—	श्री सुरेन्द्र, 22, सेक्टर 16—ए, फरीदाबाद, हरियाणा।	—वही—
71.	—वही—	—वही—	श्री सुरेन्द्र सिंह, 2ई/22, एन. आई. टी., फरीदाबाद, हरियाणा।	—वही—
72.	—वही—	52—मेवला महराजपुर	श्री अश्वनी बत्ता, 647/8, फरीदाबाद, हरियाणा।	—वही—
73.	—वही—	—वही—	श्री आस मी. खान, 1287, एस. जी. एस. नगर, ज्ञान सी, बुखारा, फरीदाबाद, हरियाणा।	—वही—
74.	—वही—	—वही—	श्री ग्यासी राम शर्मा, म. नं. 10/401, मोहल्ला, आसापाडा, फरीदाबाद, हरियाणा।	—वही—
75.	—वही—	—वही—	श्री त्रिलोक मिह, 1399/एम. आई. जी., हाउसिंग बोर्ड कालोनी, सेक्टर 29, फरीदाबाद, हरियाणा।	—वही—

1	0	3	4	5
76.	हरियाणा राज्य की विधान सभा के लिए साधारण निवाचन, 1996	52—मेवला महाराजपुर	श्री दण्डरथ मिह, गांव खेड़ी खुर्द, डा. खेड़ी कलां, फरीदाबाद, हरियाणा।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
77.	—वही—	—वही—	श्री देवेन्द्र, गांव सीही, तह. व जिला फरीदाबाद, हरियाणा।	—वही—
78	—वही—	—वही—	श्री भीम सिह, गांव सराय खावाजा, डा. अमर नगर, फरीदाबाद, हरियाणा।	—वही—
79.	—वही—	—वही—	श्री धृपेन्द्र मिह खोमला, म. न. 752, वार्ड नं. 1, गजा गार्डन, फरीदाबाद, हरियाणा।	—वही—
80.	—वही—	—वही—	श्री मदन लाल आजाइ, 519 ए, गोपी कालोनी, फरीदाबाद, हरियाणा।	—वही—
81.	—वही—	—वही—	श्री मनीष, 2468—ए, सेक्टर—3, बलबगड़, फरीदाबाद, हरियाणा।	—वही—
82.	—वही—	—वही—	श्री महेन्द्र, गांव खेड़ी कलां, तह. व जिला फरीदाबाद, हरियाणा।	—वही—
83.	—वही—	—वही—	श्री यतेन्द्र गोयल, 1/374, लिक रोड, गाम्त्री कालोनी, फरीदाबाद, हरियाणा।	—वही—
84.	—वही—	—वही—	श्री रघुबीर मिह, गांव तिगांव, जिला फरीदाबाद, हरियाणा।	—वही—
85.	—वही—	—वही—	श्री राजपाल, गांव वसन्तपुर, म. न. 131, फरीदाबाद, हरियाणा।	—वही—
86	—वही—	—वही—	श्री गम गोपाल, गांव दौलताबाद, सेक्टर 16ए, फरीदाबाद, हरियाणा।	—वही—
87.	—वही—	—वही—	श्री रामबल, गांव व डा. पाली, जिला फरीदाबाद, हरियाणा।	—वही—
88.	—वही—	—वही—	श्री विजय कुमार, म. न. 508, सेक्टर—16ए, फरीदाबाद, हरियाणा।	—वही—

1	2	3	4	5
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89.	हरियाणा राज्य की विधान सभा के लिए साप्रारण निर्वाचन, १९९६	5.2—मेहना महाराजपुर	श्री विरेन्द्र, गांव व डा. अनंगपुर, जिला फरीदाबाद, हरियाणा।	निर्वाचन व्यापार का कोई भी संबंध दाखिल करने असकल रहे।
90.	—वही—	—वही—	श्री वेद प्रकाश, गांव नर्थीराम, गांव दर्दसिंहा, डा. तिलपत, फरीदाबाद, हरियाणा।	—वही—
91.	—वही—	—वही—	श्री शिव कुमार, गांव दर्दसिंहा, डा. तिलपत, फरीदाबाद, हरियाणा।	—वही—
92.	—वही—	—वही—	श्री शोगाज, गांव पाली, फरीदाबाद, हरियाणा।	—वही—
93.	—वही—	—वही—	श्री श्याम कुमार, म. न. २८९, गजीब नगर, डा. अमर नगर, फरीदाबाद, हरियाणा।	—वही—
94.	—वही—	—वही—	श्री श्रीकृष्ण, म. न. ४१ बी, पाली, फरीदाबाद, हरियाणा।	—वही—
95.	—वही—	—वही—	श्री सतबीर, गांव व डा. पाली, फरीदाबाद, हरियाणा।	—वही—
96.	—वही—	—वही—	श्री हेम चन्द, गांव व डा. तिगांव, जिला फरीदाबाद, हरियाणा।	—वही—
97.	—वही—	5.3—बल्लभगढ़	श्री अनिल कुमार, पाफ. मी. ऐ., ३२२, पुर्वी चावला कालोनी, बल्लभगढ़, फरीदाबाद, हरियाणा।	—वही—
98.	—वही—	—वही—	श्री अशोक कुमार, गांव नंगला माजरा चान्दपुर, तह. बल्लभगढ़, फरीदाबाद, हरियाणा।	—वही—
99.	—वही—	—वही—	श्री ईश्वर चन्द, म. न. ११२, गांव थांथरी, डा. घोड़ी, फरीदाबाद, हरियाणा।	—वही—
100.	—वही—	—वही—	श्री जय किशोर, ७८, मुजेनर, तह. बल्लभगढ़, हरियाणा।	—वही—

1	2	3	4	5
101.	हरियाणा राज्य की विधान सभा के लिए साधारण निर्वाचन, 1996	53—बल्लबगढ़	श्री जितेन्द्र सिंह, त्रिखा कालोनी, बल्लबगढ़, हरियाणा।	निर्वाचन व्ययों का कोई भी सेखा दाखिल करने में असफल रहे।
102.	—वही—	—वही—	श्री धनेश चन्द, संजय क्ष्याथ हाउस, बल्लबगढ़, हरियाणा।	—वही—
103.	—वही—	—वही—	श्री नरेन्द्र, म. न. 189/2, गांव जवां, तह. बल्लबगढ़, हरियाणा।	—वही—
104.	—वही—	—वही—	श्री प्रमोद कुमार, गांव गौच्छी, जीवन नगर, आपोजिट बैष्णो मंदिर, तह. बल्लबगढ़, फरीदाबाद, हरियाणा।	—वही—
105.	—वही—	—वही—	श्री भूपेश, म. न. 720, बाहुमणथाड़ा, बल्लबगढ़, हरियाणा।	—वही—
106.	—वही—	—वही—	श्री मदन लाल, 87, गोपनी कालोनी, फरीदाबाद शहर, हरियाणा।	—वही—
107.	—वही—	—वही—	श्री महीपाल, गांव चन्दावली, तह. बल्लबगढ़, हरियाणा।	—वही—
108.	—वही—	—वही—	श्री राम चन्द, राम श्वर्स, अग्रसैन चौक, ऊचा गांव, मैन बाजार, बल्लबगढ़, हरियाणा।	—वही—
109.	—वही—	—वही—	श्री विजन्द्र सिंह, 157/2, गांव डूरसा, डा. असावटी, तह. पलवल, हरियाणा।	—वही—
110.	—वही—	—वही—	श्री प्यामलाल, गांव (जटोला) भैंशापुर, डा. असावटी, तह. पलवल, हरियाणा।	—वही—
111.	—वही—	—वही—	श्री सुब्रामन, डी. जैड. 1350, पटेल नगर, सैक्टर-4, बल्लबगढ़, हरियाणा।	—वही—
112.	—वही—	—वही—	श्री मुकम चन्द, डी. डी. 250, तेलीवाड़ा, बल्लबगढ़, हरियाणा।	—वही—
113.	—वही—	55—हसनपुर (ग्र. जा.)	श्री बेसु चन्द, गांव खाम्बी, तह. होड़ल, फरीदाबाद, हरियाणा।	—वही—
114.	—वही—	—वही—	श्री गोपाल, रेलवे रोड, वार्ड नं. 3, होड़ल, जिला फरीदाबाद, हरियाणा।	—वही—

1	2	3	4	5
115.	हरियाणा राज्य की विधान सभा के लिए साधारण निर्वाचन, 1996	55—हसनपुर (अ. जा.)	श्री टीकम, गांव नया नंगला, होडल, जिला फरीदाबाद, हरियाणा।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
116.	—वही—	—वही—	दरशाव सिंह, रेलवे रोड, होडल, जिला फरीदाबाद, हरियाणा।	—वही—
117.	—वही—	—वही	श्री भजनी, गांव भुलावना, डा. होडल, जिला फरीदाबाद, हरियाणा।	—वही—
118.	—वही—	—वही—	श्री भानु प्रकाश चौहान, गांव व डा. पिंगीर, तह. होडल, जिला फरीदाबाद, हरियाणा।	—वही—
119.	—वही—	—वही—	श्री मोहरान, गांव व डा. पिंगीर, तह. होडल, जिला फरीदाबाद, हरियाणा।	—वही—
120.	—वही—	—वही—	श्री शिवलाल, रेलवे रोड, पलवल, जिला फरीदाबाद, हरियाणा।	—वही—
121.	—वही—	87—जाटुसाना	श्री कंवर सिंह, गांव व डा. कनीना, जिला महेन्द्रगढ़, हरियाणा।	—वही—
122.	—वही—	—वही—	श्री जगदीश पुत्र श्री असीसाल, गांव पड़तल, डा. ढाणा भोजावास, जिला महेन्द्रगढ़, हरियाणा।	—वही—
123.	—वही—	—वही—	श्री जगदीश पुत्र श्री मंगल, गांव व डा. कनीना, जिला महेन्द्रगढ़, हरियाणा।	—वही—
124.	—वही—	—वही—	श्री जगदीश चन्द, गांव जाटुसाना, जिला रिवाड़ी, हरियाणा।	—वही—
125.	—वही—	—वही—	श्री धर्मवीर, गांव व डा. गुरावड़ा, जिला रिवाड़ी हरियाणा।	—वही—

ORDER

New Delhi, the 17th March, 1997

O.N. 90.—Whereas, the Election Commission of India is satisfied that the contesting candidates specified in column (4) of the table below at the General Election to the Haryana Legislative Assembly held in April, 1996 as specified in column (2) and held from constituency correspondingly specified in column (3) against their names have failed to lodge account of their election expenses, as shown in column (5) of the table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And whereas, the said candidates have either not

furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of three years from the date of this Order;

TABLE

Sl. No.	Particulars of election	No. and Name of constituency	Name and address of contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Haryana Legislative Assembly, 1996.	17—Panipat	Sh. Ranjit, 192, Prakash Ram Colony, Panipat, Haryana.	Failed to lodge any account of election expenses.
2.	-do-	18—Sambhalka	Sh. Shyam Lal S/o Sh. Ram Kishan, Purana Gur Mandi, Sambhalka, Distt. Panipat, Haryana.	-do-
3.	-do-	-do-	Sh. Govardhan, Vill. & P.O. Ugrakhedi, Distt. Panipat, Haryana.	-do-
4.	-do-	-do-	Sh. Baljit, Vill. & P.O. Rajakhedi, Distt. Panipat, Haryana.	-do-
5.	-do-	-do-	Sh. Raghbir Singh, Vill. & P.O. Namunda, Distt. Panipat, Haryana.	-do-
6.	-do-	-do-	Sh. Rakesh, Vill. & P.O. Sanauli Khurda, Distt. Panipat, Haryana.	-do-
7.	-do-	-do-	Sh. Ram Singh, Vill. Nagala par, Distt. Panipat, Haryana.	-do-
8.	-do-	19—Naultha	Sh. Om Prakash, Vill. & P.O. Shahpur, Teh. & Distt. Panipat, Haryana.	-do-
9.	-do-	-do-	Sh. Jai Kishan, Vill. & P.O. Iscana, Panipat, Haryana.	-do-
10.	-do-	-do-	Sh. Pratap Singh, Vill. Mandi, Panipat, Haryana.	-do-

1	2	3	4	5
11.	General Election to the Haryana Legislative Assembly, 1996.	19-Nauthi	Sh. Balwan Singh, Vill. & P.O. Ahar, Panipat, Haryana.	Failed to lodge any account of election expenses.
12.	-do-	-do-	Sh. Mahavir Singh, Vill. Pathari, Panipat, Haryana.	-do-
13.	-do-	22-Thanesar	Sh. Amar Nath, H. No. 118/7, Ladwa, Haryana.	-do-
14.	-do-	-do-	Sh. Pawan Kumar, S/o Sh. Hakamrai, Miglani Cloth House, Thanesar, Haryana.	-do-
15.	-do-	-do-	Sh. Ved Prakash, Vill. & P.O. Mathana, Haryana.	-do-
16.	-do-	-do-	Sh. Suresh Kumar, H. No. 521, Sector-13, Kurukshetra, Haryana.	-do-
17.	-do-	38-Baroda (SC)	Sh. Upendra, Vill. & P.O. Bohar, Teh. & Distt. Rohtak, Haryana.	-do-
18.	-do-	-do-	Sh. Tara Chand S/o Sh. Deshraj, H. No. 14, Ward No. 6, Kasba Gannaur, Distt. Sonipat, Haryana.	-do-
19.	-do-	38-Baroda (SC)	Sh. Lakhmi Chand, H. No. 69, Ward No. 12, Vishwakarma Colony, Gohana, Distt. Sonipat, Haryana.	-do-
20.	-do-	41-Sonipat	Sh. Anil, H. No. 836, Sharma Kutir, Near City Hospital, Sonepat, Haryana.	-do-
21.	-do-	-do-	Sh. Chandan Singh, 778/27, West Ram Nagar, Sonepat, Haryana.	-do-
22.	-do-	-do-	Sh. Ramdhatri, Vill. & P.O. Juha No.-I, Sonepat, Haryana.	-do-
23.	-do-	-do-	Sh. Vijay Kumar, H. No. 97, Bharatpuri, Sonepat, Haryana.	-do-
24.	-do-	-do-	Sh. Sham Lal, H. No. 169, Sector 14, Sonepat, Haryana.	-do-
25.	-do-	-do-	Sh. Hukum Chand, H. No. 848, Ward No. 15, Sonepat, Haryana.	-do-
26.	-do-	42-Rai	Sh. Ishwar, Vill. & P.O. Asadpur, Teh. & Distt. Sonepat, Haryana.	-do-
27.	-do-	-do-	Sh. Krishna Chander, Vill. Janjal, P.O. Jhundpur, Teh. & Distt. Sonepat, Haryana.	-do-

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28.	General Election to the Haryana Legislative Assembly, 1996.	42-Rai	Sh. Dharam Pal, Vill. Nangal Khurd, P.O. Kumaspur, Teh. & Distt. Sonepat, Haryana.	Failed to lodge any account of election expenses.
29.	-do-	-do-	Sh. Satyawan, H. No. 482, Vill. Akbarpur, Barota, Teh. & Distt. Sonepat, Haryana.	-do-
30.	-do-	-do-	Sh. Surender, H. No. 295/1, Ward No. 8, Jhajjar, Distt. Sonepat, Haryana.	-do-
31.	-do-	49-Julana	Sh. Tek Ram, Vill. & P.O. Buwana, Teh. & Distt. Jind, Haryana.	-do-
32.	-do-	-do-	Sh. Ram Ratan, Vill. & P.O. Ram Rai, Teh. & Distt. Jind, Haryana.	-do-
33.	-do-	-do-	Sh. Surajbhan S/o Sh. Hatch Singh, Vill. Desh Kheda, P.O. Julana, Teh. & Distt. Jind, Haryana.	-do-
34.	-do-	-do-	Sh. Swaroop Singh, H. No. 68/15, Subhash Nagar, Rohtak Road, Jind, Haryana.	-do-
35.	-do-	50-Safidon	Sh. Inder, Vill. Urlana Kalan, Panipat, Haryana.	-do-
36.	-do-	-do-	Sh. Jagdish, Vill. Muwana, Teh. Safidon, Distt. Jind, Haryana.	-do-
37.	-do-	-do-	Sh. Jal Bhagwan, Safidon City, Distt. Jind, Haryana.	-do-
38.	-do-	-do-	Sh. Pala Ram, Vill. Ram Nagar, Teh. Safidon, Distt. Jind, Haryana.	-do-
39.	-do-	-do-	Baljit Kaur, Vill. Kurad, Teh. Safidon, Distt. Jind, Haryana.	-do-
40.	-do-	-do-	Sh. Ramesh Chander, Vill. Malar, Teh. Safidon, Distt. Jind, Haryana.	-do-
41.	-do-	-do-	Sh. Ram Sarup, Vill. Khedakhemavati, Teh. Safidon, Distt. Jind, Haryana.	-do-
42.	-do-	-do-	Sh. Vinod Kumar S/o Sh. Khushi Ram, Safidon City, Distt. Jind, Haryana.	-do-

1	2	3	4	5
43.	General Election to the Haryana Legislative Assembly, 1996.	50—Safidon	Sh. Vinod Kumar, S/o Sh. Surajbhan, Safidon City, Distt. Jind, Haryana.	Failed to lodge any account of election expenses.
44.	-do-	-do-	Sh. Hari Kishan, Safidon City, Distt. Jind, Haryana.	-do-
45.	-do-	51—Faridabad	Sh. Amar, B-40, Sanjay Colony, Sector 23, N.I.T., Faridabad, Haryana.	-do-
46.	-do-	-do-	Sh. Amar Singh, H. No. 502, Sanjay Colony, Sector-23, N.I.T., Faridabad, Haryana.	-do-
47.	-do-	-do-	Sh. Ashok S/o Sh. Chaman Lal, 5-M/32, N.I.T., Faridabad, Haryana.	-do-
48.	-do-	-do-	Sh. Kishan Singh, VIII, & P.O. Sikri, Teh. Ballabgarh, Faridabad, Haryana.	-do-
49.	-do-	-do-	Sh. Chunni Lal, F/133, A.C. Nagar, N.I.T., Faridabad, Haryana.	-do-
50.	-do-	-do-	Sh. Jagtar Singh, 1 J/8, N.I.T., Faridabad, Haryana.	-do-
51.	-do-	-do-	Sh. Jagdish, 5 K/109, New Township, N.I.T., Faridabad, Haryana.	-do-
52.	-do-	-do-	Sh. Jagdish Chander, 1 F/47, N.I.T., Faridabad, Haryana.	-do-
53.	-do-	-do-	Sh. Dinesh, 5 J/4, N.I.T., Faridabad, Haryana.	-do-
54.	-do-	-do-	Sh. Devi Lal, H. No. 312/B, Jawahar Colony, 60 ft. Road, N.I.T., Faridabad, Haryana.	-do-
55.	-do-	-do-	Sh. Dauji Ram, H. No. D, Ward 400, Adarsh Colony, Palwal, Haryana.	-do-
56.	-do-	-do-	Sh. Nem Chand, H. No. 3625, Jawahar Colony, 60 ft. Road, N.I.T., Faridabad, Haryana.	-do-
57.	-do-	-do-	Sh. Pradeep Kumar, 5 C/98, N.I.T., Faridabad, Haryana.	-do-
58.	-do-	-do-	Sh. Prabhunath, E-1175, Dabua Colony, N.I.T., Faridabad, Haryana.	-do-

1	2	3	4	5
59.	General Election to the Haryana Legislative Assembly, 1996.	51—Faridabad	Sh. Prahlad Singh, 5K/112, N.I.T., Faridabad, Haryana.	Failed to lodge any account of election expenses.
60.	-do-	-do-	Sh. Bobby, 2-E/203, Faridabad, Haryana.	-do-
61.	-do-	-do-	Sh. Mahender Singh, Plot No. 119, Nangla Enclave-Part-II, Near Gajipur, N.I.T., Faridabad, Haryana.	-do-
62.	-do-	-do-	Sh. Mohammad Aftab, H. No. 643, A.C. Nagar, Neelam Bata, Faridabad, Haryana.	-do-
63.	-do-	-do-	Sh. Rati Ram, Vill. Gajipur, Distt. Faridabad, Haryana.	-do-
64.	-do-	-do-	Smt. Radha W/o Sh. Amar Nath, 13/2, Nangla Plot, Type-D, Ward No. 2, N.I.T., Faridabad, Haryana.	-do-
65.	-do-	-do-	Smt. Radha W/o Sh. Govindram, 1-D-13, B.P.N.I.T., Faridabad, Haryana.	-do-
66.	-do-	-do-	Sh. Ram Saran, H. No. 223, Sanjay Colony, Block D-I, Vill. Gochhi, Faridabad, Haryana.	-do-
67.	-do-	-do-	Sh. Rijak Singh, Vill. Gajipur, Distt. Faridabad, Haryana.	-do-
68.	-do-	-do-	Sh. Liaquat Ali, H. No. 129 Vill. Gochhi, P.O. Gochhi, Teh. Ballabgarh, Faridabad, Haryana.	-do-
69.	-do-	-do-	Sh. Sanjay, 2 D-112, N.I.T., Faridabad, Haryana.	-do-
70.	-do-	-do-	Sh. Surender, 22, Sector 16-A, Faridabad, Haryana.	-do-
71.	-do-	-do-	Sh. Surender Singh, 2E/22, N.I.T., Faridabad, Haryana.	-do-
72.	-do-	52—Mewla Maha- rajpur	Sh. Ashwani Dutta, 647/8, Faridabad, Haryana.	-do-
73.	-do-	-do-	Sh. Aas Mohd. Khan, 1287, M.G.S. Nagar, Block-C, Badkhal, Faridabad, Haryana.	-do-

1	2	3	4	5
74.	General Election to the Haryana Legislative Assembly, 1996.	52—Mewla Mahajpur	Sh. Gyasi Ram Sharma, H. No. 10/401, Mohalla Basapada, Faridabad, Haryana.	Failed to lodge any account of election expenses.
75.	-do-	-do- [Sh. Trilok Singh, 1399/M.I.G., Housing Board Colony, Sector 29, Faridabad, Haryana.	-do-
76.	-do-	-do-	Sh. Dashrath Singh, Vill. Khedi Khurd, P.O. Khedi Kalan, Distt. Faridabad, Haryana.	-do-
77.	-do-	-do-	Sh. Depender, Vill. Sih, Teh. & Distt. Faridabad, Haryana.	-do-
78.	-do-	-do-	Sh. Bhim Singh, Vill. Sarai Khawaja, P.O. Amar Nagar, Faridabad, Haryana.	-do-
79.	-do-	-do- [Sh. Bipender Singh, Khosla, H. No. 752, Ward No. 1, Raja Garden, Faridabad, Haryana.	-do-
80.	-do-	-do-	Sh. Madan Lal Azad, 519A, Gopi Colony, Faridabad, Haryana.	-do-
81.	-do-	-do-	Sh. Manish, 2468-A, Sector-3, Ballabgarh, Faridabad, Haryana	-do-
82.	-do-	-do-	Sh. Mahender, Vill. Khedi Kalan, Teh. & Distt. Faridabad, Haryana.	-do-
83.	-do-	-do-	Sh. Yatender Goel, 1/374, Link Road, Shastri Colony, Faridabad, Haryana.	-do-
84.	-do-	-do-	Sh. Raghubir Singh, Vill. Tigaon, Distt. Faridabad, Haryana.	-do-
85.	-do-	-do-	Sh. Rajpal, Vill. Basantpur, H. No. 131, Faridabad, Haryana.	-do-
86.	-do-	-do-	Sh. Ram Gopal, Vill. Daulatabad Sector 16-A, Faridabad, Haryana.	-do-
87.	-do-	-do-	Sh. Rambal, Vill. & P.O. Pali, Distt. Faridabad, Haryana.	-do-
88.	-do-	-do-	Sh. Vijay Kumar, H. No. 508, Sector 16-A, Faridabad, Haryana.	-do-

1	2	3	4	5
89.	General Election to the Haryana Legislative Assembly, 1996.	52—Mewla Mahajpur	Sh. Virender, Vill. & P.O. Anangpur, Distt. Faridabad, Haryana.	Failed to lodge any account of election expenses.
90.	-do-	-do-	Sh. Ved Prakash, S/o Sh. Nathi Ram, Vill. Dadasiya, P.O. Tilpat, Faridabad, Haryana.	-do-
91.	-do-	-do-	Sh. Shiv Kumar, Vill. Dadasiya, P.O. Tilpat, Faridabad, Haryana.	-do-
92.	-do-	-do-	Sh. Shoraj, Vill. Pali, Faridabad, Haryana.	-do-
93.	-do-	-do-	Sh. Shyam Kumar, H. No. 289, Rajiv Nagar, P.O. Amar Nagar, Faridabad, Haryana.	-do-
94.	-do-	-do-	Sh. Shri Krishna, H. No. 41-B, Pali, Faridabad, Haryana.	-do-
95.	-do-	-do-	Sh. Satbir, Vill. & P.O. Pali, Faridabad, Haryana.	-do-
96.	-do-	-do-	Sh. Hem Chand, Vill. & P.O. Tigaon, Distt. Faridabad, Haryana.	-do-
97.	-do-	53—Ballabgarh	Sh. Anil Kumar, F.C.A.-322, East Chawla Colony, Ballabgarh, Faridabad, Haryana.	-do-
98.	-do-	-do-	Sh. Ashok Kumar, Vill. Nangala Majra Chandpur, Teh. Ballabgarh, Faridabad, Haryana.	-do-
99.	-do-	-do-	Sh. Ishwar Chand, H. No. 112, Vill. Thanthari, P.O. Ghodi, Faridabad, Haryana.	-do-
100.	-do-	-do-	Sh. Jai Kishore, 78, Mujetar, Teh. Ballabgarh, Haryana.	-do-
101.	-do-	-do-	Sh. Jitender Singh, Trikha Colony, Ballabgarh, Haryana.	-do-
102.	-do-	-do-	Sh. Dhanesh Chand, Sanjay Cloth House, Ballabgarh, Haryana.	-do-
103.	-do-	-do-	Sh. Narendra, H. No. 189/2, Vill. Jawan, Teh. Ballabgarh, Haryana.	-do-

1	2	3	4	5
104.	General Election to the Haryana Legislative Assembly, 1996.	53—Ballabgarh	Sh. Pramod Kumar, Vill. Gochhi, Jeevan Nagar, Opp. Vaishno Mandir Teh. Ballabgarh, Faridabad, Haryana.	Failed to lodge any account of election expenses.
105.	-do-	-do-	Sh. Bhupesh, H. No. 720, Bhrahmanvada, Ballabgarh, Haryana.	-do-
106.	-do-	-do-	Sh. Madan Lal, 87, Gopani Colony, Faridabad City, Haryana.	-do-
107.	-do-	-do-	Sh. Mahipal, Vill. Chandawali, Teh. Ballabgarh, Haryana.	-do-
108.	-do-	-do-	Sh. Ram Chand, Ram Brothers, Aggrasen Chowk, Vill. Ooncha, Main Bazar, Ballabgarh, Haryana.	-do-
109.	-do-	-do-	Vijender Singh, 157/2, Vill. Dandsa, P.O. Asawati, Teh. Palwal, Haryana.	-do-
110.	-do-	-do-	Sh. Shyam Lal, Vill. (Jatola) Mandapur, P.O. Asawati, Teh. Palwal, Haryana.	-do-
111.	-do-	-do-	Sh. Sukh Ram, D-Z, 1350, Patel Nagar, Sector-4, Ballabgarh, Haryana.	-do-
112.	-do-	-do-	Sh. Hukum Chand, D.D-250, Teliwada, Ballabgarh, [Haryana.	-do-
113.	-do-	55—Hasanpur (SC)	Sh. Khem Chand, Vill. Khambi, Teh. Hodal, Distt. Faridabad, Haryana.	-do-
114.	-do-	-do-	Sh. Gopal, Railway Road, Ward No. 3, Hodal, Distt. Faridabad, Haryana.	-do-
115.	-do-	-do-	Sh. Tikam, Vill. Naya Nangala, [Hodal, Distt. Faridabad, Haryana.	-do-
116.	-do-	-do-	Sh. Daryav Singh, Railway Road, Hodal, Distt. Faridabad, Haryana.	-do-
117.	-do-	-do-	Sh. Bhajani, Vill. Bhulawana, P.O. Hodal, Distt. Faridabad, Haryana.	-do-
118.	-do-	-do-	Sh. Bhanu Prakash Chauhan, Vill. & P.O. Piggaur, Teh. Hodal, Distt. Faridabad, Haryana.	-do-

1	2	3	4	5
119.	General Election to the Haryana Legislative Assembly, 1996.	55—Hasanpur (SC)	Sh. Mohar Pal, Vill. & P.O. Piggaur, Teh. Hodal, Distt. Faridabad, Haryana.	Failed to lodge any account of election expenses.
120.	-do-	-do-	Sh. Shiv Lal, Railway Road, Palwal, Distt. Faridabad, Haryana.	-do-
121.	-do-	87—Jatusana	Sh. Kanwar Singh, Vill. & P.O. Kanina, Distt. Mahendergarh, Haryana.	-do-
122.	-do-	-do-	Sh. Jagdish S/o Sh. Adisal, Vill. Padial, P.O. Dhana Bhojawas, Distt. Mahendergarh, Haryana.	-do-
123.	-do-	-do-	Sh. Jagdish S/o Sh. Mangal, Vill. & P.O. Kanina, Distt. Mahendergarh, Haryana.	-do-
124.	-do-	-do-	Sh. Jagdish Chand, Vill. Jatusana, Distt. Riwari, Haryana.	-do-
125.	-do-	-do-	Sh. Dharamvir, Vill. & P.O. Gurawada, Distt. Riwari, Haryana.	-do-

[No. 76/HN-LA/96(2)]

By order,

K. J. RAO, Secy.

आदेश

नई दिल्ली, 7 अप्रैल, 1997

आ. अ. 91.—यह निर्वाचन आयोग का समाधान हो गया है कि नीचे सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र सेहुआ है, स्तम्भ (4) में उसके नामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा नदीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायीचिन्य नहीं है;

प्रत. अब, निर्वाचन आयोग उक्त अधिनियम की द्वारा 10-के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों का संसद के किसी भी सदन के या किसी गजद की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निर्गृहित घोषित करता है।

सारणी

क्र. सं. निर्वाचन का विवरण	संसदीय/विधान सभा निर्वाचन-क्षेत्र की क्र. सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निर्गृहित का कारण
1	2	3	4
1. लोक सभा के लिए साधारण निर्वाचन, 1996	8—मंगलदार्इ सं. फि. क्षेत्र	श्री महेश चक्रवर्णी ग्राम ब पो. बालीताला, जिला नलवाड़ी, असम	निर्वाचन व्ययों का कोई शी लेखा दाखिल करो भै असफल रहे।

1	3	3	4	5
2.	लोक सभा के लिए, साधारण निवाचन, 1996	13—डिक्री गढ़ सं. नि. क्षेत्र	श्री धर्मनिंद पांडे ग्राम पो. रामगुरु जिला-तिनसुकिया असम	विधि द्वारा अपेक्षित रीति से लेखा दाखिल करते में असफल रहे।
3.	--वही--	--वही--	श्री युधराम गजगढ़, पो. आ. मोखुली, जिला-तिनसुकिया, असम	--वही--
4.	--वही--	29—गोम्साईगांव	श्री जुनाश मुर्मा, ग्राम जेकनपुर, पो. आ. फेलागुड़ी, जिला कोकाम्पाह असम	निवाचन व्यापों का कोई भी लेखा दाखिल करने में असफल रहे।
5.	--वही--	36—दुधनाई अ. ज. आ.	श्री मनोरजन बासुमातारी, ग्राम अलछाड़ा, पो. आ. धायरगांव, असम	--वही--
6.	--वही--	37—गोलपारा (पूर्व)	सुश्री अनवरा बेगम, ग्राम पो. आ. अम्बारी (धुपद्र.) जिला गोलपाड़ा, असम	--वही--
7.	--वही--	39—जलेश्वर	श्री बास्तु हक खाण्डेकर, ग्राम-काकिगाँड़ी, पो. आ. गौरनगर, जिला गोलपाड़ा, असम	--वही--
8.	--वही--	78—गोहपुर	श्री कानाकेश्वर बहशा ग्राम-काकिलागुड़ी, पो. आ. काकिला चारियाली, मोउजा गोहपुर, जिला सोनितपुर, असम	--वही--
9.	--वही--	--वही--	श्री भुवेन आधारी, ग्राम कारीनिल नेपाली, पो. आ. क्वारी- पत्थर, मौजा हलोम, जिला सोनितपुर, असम	--वही--
10.	--वही--	80—मरिगांव	श्री अब्दुल सत्तार, ग्राम तारानीरी, पो. आ. ना. तारा- नोरी, कालखीभताग, मीकीरमेय, जिला मरिगांव, असम	--वही--
11.	--वही--	80—मरिगांव वि. स.	श्री दिनेश च. डेका, ग्राम मरिगांव टाउन, वार्ड नं. 1 पो. आ. पी. एस. और जिला मरिगांव, असम	--वही--
12.	--वही--	--वही--	श्री लखि प्रसाद महन्ते, ग्राम-मरिगांव टाउन, वार्ड नं. 4, पी. ओ. पी. एम. और जिला मरिगांव, असम	--वही--
13.	--वही--	90—जमूनामुख	श्री मो. अब्दुल सलाम, ग्राम तारकोट, पो. आ. नीलवारानामी, जिला नोगांव, असम	--वही--
14.	--वही--	--वही--	श्री मोहम्मद अब्दुल हुसैन, ग्राम रागालोगांव, पो. आ. जुमुरसुर थाना-कामपुर, जिला-नोगांव, असम	--वही--

1	2	3	4	5
15.	असम विधान सभा के लिए माधारण निर्वाचन 1996	90—जमुनामुख	श्री नवीन बोरा, ग्राम नागायन पाम, पो. आ, और थाना जमुनामुख ज़िला नोगांव, असम	निर्वाचित व्ययों का कोई भी खेद दर्शित करने में असफल रहे
16.	—वही—	—वही—	श्री प्रेमाधर, ग्राम कायकीटिया, भाटगांव, पो. आ, जमुनामुख, ज़िला नगांर	—वही—
17.	—वही—	116—डिब्रूगढ़	श्री अजित कुमार हलोई, ग्राम बाजार, जैन मन्दिर के पास, ज़िला डिब्रूगढ़, असम	—वही—
18.	—वही—	—वही—	श्री अतुल दत्ता, डिब्रूगढ़ टाउन, पो. आ, और ज़िला डिब्रूगढ़	—वही—
19.	—वही—	—वही—	श्री पद्मेश्वर फूकन बोरिया गोमथ, उदयपुर, ज़िला डिब्रूगढ़, असम	—वही—
20.	—वही—	—वही—	श्री केशव दना कुमारीनी छीगा ग्राम, राजभेय, पो. आ, बाखम्बारा, थाना और ज़िला—डिब्रूगढ़, असम	—वही—
21.	—वही—	117—लाहोपाल	श्री करुण गोगोई, रोगपुरिया गांव, पो. आ, सर्वोदय वाया लाहोपाल, ज़िला डिब्रूगढ़, असम	—वही—
22.	—वही—	—वही—	श्री पद्माधर कोनवार, निजबत पो. आ, लोहोपाल ज़िला, डिब्रूगढ़, असम	—वही—
23.	—वही—	—वही—	श्री मुकुट सोनीवाल बोरिया, गोमथ, कचारीगांव, पो. आ. मनकोट्टा खानिकर, ज़िला डिब्रूगढ़, असम	—वही—
24.	—वहीका-	118—दुलियाजन	श्री अजीत सरगारी, नं. 2, कथालगुरी, गांव पो. भादोई- पंचाली, ज़िला डिब्रूगढ़, असम	—वही—
5.	—वही—	—वही—	श्री कमल मकरारी, भादोई नगर गांव, पो. भादोई पंचाली ज़िला डिब्रूगढ़, असम	—वही—
26.	—वही—	—वही—	श्री सामवहाबुर महीली, सं. 2, सपतोली गांव, भादोईपंचाली, ज़िला डिब्रूगढ़, असम	—वही—
27.	—वही—	—वही—	श्री श्रीरेण चुटिया, जय नगर, पो. दुलियाजन, ज़िला डिब्रूगढ़, असम	—वही—
28.	असम विधान सभा के लिये माधारण निर्वाचन 1996	119—दुलि, श्राजन	श्री चिरेस्वर मोनोवाल, नं. 7, दुलियाजन गांव पो. आनन्दपारा, ज़िला डिब्रूगढ़	—वही—

1	2	3	4	5
29.	असम विधान सभा के लिए साधारण निर्वाचन, 1996	119—दुलिअजन	श्री तिलेस्वर चंगमर्ह, सगुनेसोबा गांव, जिला डिब्रूगढ़, असम	निवाचित व्ययों का कोई भी जेवा दर्शक्ति करने में असफल रहे
30.	—वही—	—वही—	श्री तेवफिल कुल्लु, दिल्लीबाड़ी टी.ई., पा. विलोआड़ी, जिला डिब्रूगढ़, असम	—वही—
31.	—वही—	—वही—	श्री देवाल टस्सा, तिनाली टी.ई., पो. तिनाली जिला डिब्रूगढ़, असम	—वही—
32.	—वही—	—वही—	श्री ग्रजेन निरमलिया, गोथपाथर गांव, पो. देहिंग किनार नाहरकटिया, डिब्रूगढ़, असम	—वही—
33.	—वही—	—वही—	श्री भूबन गोगोई, वानीपुर पो. डिब्रूगढ़, जिला डिब्रूगढ़, असम	—वही—
34.	—वही—	—वही—	श्री रोमा चाँदग, हिंदमोरा बोर्दोथार, गांव पो. सिलग्रांट नामरूप, डिब्रूगढ़, असम	—वही—
35.	—वही—	120 नाहरकटिया	श्री असर ज्योति गोगोई, नामरूप, टाउन, पाट-1, पो. परबतपुर, जिला डिब्रूगढ़, असम	—वही—
36.	—वही—	—वही—	श्री दयाल तान्ती, हाजन परवन टी. इस्टेट, पो. परबतपुर, जिला डिब्रूगढ़, असम	—वही—
37.	—वही—	—वही—	श्री भावेन सोकिया, नामरूप (एच.एफ. मी. चर्च के पास) पो. परबतपुर, जिला डिब्रूगढ़, असम	—वही—
38.	—वही—	121—छाकुआ	श्री गंगाराम तान्ती, गोलापुखुरी, गांव, पो. तिनसुखिया जिला तिनसुखिया, असम	—वही—
39.	—वही—	—वही—	श्री पूर्णनन्द बराह, मेनचोबा पुखुरी गांव, जिला डिब्रूगढ़ असम	—वही—
40.	—वही—	—वही—	श्री रामदास कुमार तान्ती लिमोगुरी, टी. इस्टेट, पो. रंगापाडा, रोड, पो. तिनसुकिया, असम	—वही—
41.	—वही—	—वही—	श्री शशिन्द्र नाथ दाम, रंगापाडा, रोड, पो. तिनसुकिया, जिला तिनसुकिया, असम	—वही—
42.	—वही—	123 डिग्योर्ह	श्री कमला मोरान, डिग्योर्ह डुका लाइन, पो. डिग्योर्ह, जिला तिनसुकिया असम	—वही—
43.	—वही—	125—डूम-डूमा	श्री रामकृष्ण सोनार, रूपई टी. इस्टेट, पो. डूम-डूमा, जिला तिनसुकिया, असम	—वही—

ORDER

New Delhi, the 7th April, 1997

O. N. 91.—Whereas the Election commission is satisfied that each of the contesting candidate specified in column (4) of the Table below at the election specified in column (2), held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951 and Rules and Orders made thereunder as shown in column (5) of the said Table; and

Whereas, the said candidates have not furnished any reason or explanation for the said failure even after due notice and the Election Commission is thus satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in Column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order:—

TABLE

Sl. No.	Particulars of elections	No. & Name of constituency	Name & Address of contesting candidates	Reason for disqualification
1	2	3	4	5
	General election to Lok-Sabha, 1996.	8—Mangaldai Parliamentary constituency.	Shri Mahesh Chakrabarty, Vill. & P.O.—Balitara, Distt. Nalbari, Assam.	Failed to lodge any account of election expenses.
	-do-	13—Dibrugarh Parliamentary constituency.	Shri Dharmananda Pandey, Vill. & P.O.—Rampur, Distt.—Tinsukia, Assam.	Failed to lodge the account in the manner required by law.
3.	-do-	13—Dibrugarh Parliamentary constituency.	Shri Budhram Rajgarh, Mohkhuli Gaon, P.O.—Mohkhuli, P.S.—Bordubi, Distt.—Tinsukia Assam.	-do-
4.	Gen. election to Assam Legislative Assembly, 1996	28—Gossaigaon assembly constituency.	Shri Junash Murmu, Vill—Jacobpur, PO—Failaguri, Distt—Kokrajhar, Assam.	Failed to lodge any account of election expenses.
5.	-do-	36—Dudhnoi (ST) assembly constituency.	Shri Monoranjan Basumatary, Vill—Balachara, PO—Dhaigaon, Assam.	-do-
6.	-do-	37—Goalpara (East) assembly constituency.	Ms. Anowara Begum, Vill/PO—Ambari, (Dhupdhara), Distt—Goalpara, Assam.	-do-
7.	-do-	39—Jaleswar assembly constituency.	Shri Harul Hoque Khandakar, Vill—Dharai, PO—Gournagar, Distt—Goalpara, Assam.	-do-
8.	-do-	78—Gohpur assembly constituency.	Shri Kanakeswar Boruah, Vill—Kakilaguri, PO—Kakila Chariali, Mouza—Gohpur, Distt—Sonitpur, Assam.	-do-
9.	-do-	-do-	Shri Bhaben Acharjya, Vill—Karibil Nepali, PO—Kawripathar, Mouza—Halem, Distt—Sonitpur, Assam.	-do-
10.	-do-	80—Morigaon assembly constituency.	Shri Abdul Sattar, Vill—Tarabori, PO—Na—Tarabori, Kalkhilasatra, PS—Mikirbheta, Distt—Morigaon, Assam.	-do-

1	2	3	4	5
11.	Gen. election to Assam Legislative Assembly, 1996	80—Morigaon assembly constituency.	Shri Dinesh Ch. Deko, Vil—Morigaon Town, Ward No. 1, PO PS & Distt—Morigaon Assam.	Failed to lodge any account of election expenses.
12.	-do-	-do-	Shri Lakhi Prashad, Mahanta, Vill—Morigaon Town, Ward No. 4, PO, PS & Distt—Morigaon, Assam.	-do-
13.	-do-	90—Jamunamukh assembly constituency.	Shri Md. Abdus Salam, Vill—Tarkata, PO—Nilhagan, Distt—Nagaon, Assam.	-do-
14.	-do-	-do-	Shri Md. Abul Hussain Vill—Rangalogaon, PO—Jumurmur, PS—Kampur, Distt—Nagaon, Assam.	-do-
15.	-do-	-do-	Shri Nabin Bora, Vill—Nagayan Pam, PO & PS—Jamunamukh, Distt—Nagaon, Assam.	-do-
16.	-do-	-do-	Shri Premadhar, Vill—Kathkotia Bhakatgaon, PO—Jamunamukh, Distt—Nagaon, Assam.	-do-
17.	-do-	116—Dibrugarh assembly constituency.	Shri Ajit Kumar Haloi, Graham Bazar, Near Jain Mandir, Distt—Dibrugarh, Assam.	-do-
18.	-do-	-do-	Shri Atul Dutta, Dibrugarh Town, PO & Distt—Dibrugarh, Assam.	-do-
19.	-do-	-do-	Shri Padmawar Phukan, Boiragimath, Udaypur, Distt—Dibrugarh, Assam.	-do-
20.	-do-	-do-	Shri Keshab Dutta, Kumarinchiga Village, Rajabhetia, PO—Barbaruah, PS & Distt—Dibrugarh, Assam.	-do-
21.	-do-	117—Lahowal assembly constituency.	Shri Karun Gogoi, Rongpuria Gaon, PO—Sarbodaya, Via Lahowal, Distt—Dibrugarh, Assam.	-do-
22.	-do-	-do-	Shri Padmadhar Konwar, Niz—& PO—Lahowal, District—Dibrugarh, Assam.	-do- [
23.	-do-	-do-	Shri Mukut Sonowal, Boiragimoth Kachari Gaon, PO—Mancotta Khanikar, Distt—Dibrugarh, Assam.	-do- [
	-do-	118—Duliajan Assembly constituency.	Shri Ajit Sargari, No. 2, Kathalguri Gaon, PO—Bhadoipanchali, District—Dibrugarh, Assam.	-do-

1	2	3	4	5
25.	Gen. election to Assam Legislative Assembly, 1996	118—Duliajan Assembly constituency.	Shri Kamal Makrary, Bhadoi Nagar Gaon, PO—Bhadoipanchali, Distt—Dibrugarh, Assam.	Failed to lodge any account of election expenses.
26.	-do-	-do-	Shri Sambahadur Mahilce, No. 2. Sapatoli Gaon, Bhadoipanchali, Distt—Dibrugarh, Assam.	-do-
27.	-do-	-do,	Shri Biren Chutia, Jaya Nagar, P.O.—Duliajan, Distt—Dibrugarh, Assam.	-do-
28.	-do-	-do-	Shri Khireshwar Sonowal, No. 2. Duliajan Gaon, P.O. —Anandapara, Distt—Dibrugarh, Assam.	-do-
29.	-do-	119—Tingkhong Assembly constituency.	Shri Tileswar Changmai, Sagunesowa Gaon, P.O.—Tingkhong, Distt—Dibrugarh, Assam.	-do-
30.	-do-	-do-	Shri Tewphil Kullu, Dillibari T.E. P.O.—Dillibari, Distt—Dibrugarh, Assam.	-do-
31.	-do-	-do-	Shri Debaru Tassa, Tennali T.E. P.O.—Teenali, Distt—Dibrugarh, Assam.	-do-
32.	-do-	-do-	Shri Brajen Nirmalia, Gethupathar Gaon, P.O.—Dehingkinar, Naharkatia, Dibrugarh, Assam.	-do-
33.	-do-	-do-	Shri Bhuban Gogoi, Banipur, P.O.—Dibrugarh, Distt—Dibrugarh, Assam.	-do-
34.	-do-	-do-	Shri Roma Chaudang, Hihumora Borpothar Gaon, P.O.—Silgrant, Namrup, Dibrugarh, Assam.	-do-
35.	-do-	120—Naharkatia Assembly Constituency.	Shri Amatjyoti Gogoi, Namrup Town, Part-I, P.O.—Parbatpur, Dist—Dibrugarh, Assam.	-do-
36.	-do-	-do-	Shri Dayal Tanti, Hapjan Parbat Tea Estate, P.O.—Parbatpur, Distt—Dibrugarh, Assam	-do-
37.	-do-	-do-	Shri Bhaben Saikia, Namrup (Near H.F.C. Church) P.O.—Parbatpur, Distt—Dibrugarh, Assam.	-do-
38.	-do-	121—Chabua Assembly Constituency	Shri Gangaram Tanti, Gelapukhuri Gaon, P.O.—Tinsukia, Distt—Tinsukia, Assam.	-do-

1.	2.	3.	4.	5.
39.	Gen. election to Assam Legislative Assembly, 1996.	121—Cachar Assembly Constituency	Shri Purnananda Barah, Senchowra Pukhuri Village, Dist—Dibrugarh, Assam.	Failed to lodge any account of election expenses.
40.	-do-	-do-	Shri Ramdas Kumar Tanti, Limoguri Tea Estate, P.O.—Rangapara, Dist—Tinsukia, Assam.	-do-
41.	-do-	-do-	Shri Sashindra Nath Das, Rangapara Road, P.O.—Tinsukia, Dist—Tinsukia, Assam.	-do-
42.	-do-	123—Digboi Assembly constituency.	Shri Kamala Moran, Digboi Ducca Line, P.O.—Digboi, Dist—Tinsukia, Assam.	-do-
43.	-do-	125—Doom Doma Assembly constituency.	Shri Ramkrishna Sonar, Rupai Tea Estate, P.O.—Doom Doma, Dist—Tinsukia, Assam.	-do-

[No. 76/AS/96]

By Order,
K. J. RAO, Secy.

आवेदन

नई दिल्ली, 7 अप्रैल, 1997

आ.आ. 92. —निर्वाचन आयोग का समाधान दो गया है कि नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन-क्षेत्र से दुए लोक सभा के साधारण निर्वाचन, 1996 में उसके सामने स्तम्भ 3 में विनिर्दिष्ट निर्वाचन लड़ने वाले प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित सारणी के स्तम्भ (4) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहा है;

प्रौढ़ उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्योक्तेवानों पर, यदि कोई हो विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः अब निर्वाचन आयोग उक्त अधिनियम की धारा 10 के अनुसरण में नीचे की सारणी के स्तम्भ (3) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी भवन के या किसी राज्य/संघ राज्यक्षेत्र की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है:—

सारणी

क्र.सं	संसदीय निर्वाचन-क्षेत्र की क्र.सं और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरहिता का कारण
1	2	3	4
1.	1-मध्यूरगंज (अ.ज.जा.)	श्री गृहचरण नाथक, स्थान दुलासीथोरा वाड़ नं 14 पो.आ. बारोपद, जिला मध्यूरगंज, उड़ीसा	निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे।
2.	8-पुरी	श्री चिन्तामणि पूजापंडा गवीया साही, पो/जिला पुरी, उड़ीसा	—बही—
3.	20-सुन्दरगढ़ (अ.ज.जा.)	श्री मोहन सामन्त, स्थान केन्दुचिह्नी, पो. कलाइपोश जिला सुन्दरगढ़, उड़ीसा	—बही—

[सं 76/उडीसा-नो. स. 97(4)]

आदेश से,
घनम्याम खोहर, सचिव

ORDER

New Delhi, the 7th April, 1997

O.N. 92.—Whereas, the Election Commission is satisfied that each of the contesting candidates specified in column (3) of the Table below at the election to the House of the People 1996 held from the constituency specified in column (2) against his/her name has failed to lodge an account of his/her election expenses or in the manner required by law, as shown in column (4) of the said table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice to the Election Commission, after considering the representations, if any, made by any of them is satisfied that he/she has no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in column (3) of the Table below to be disqualified for being chosen as and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of 3 years from the date of this order.

TABLE

Sl. No. & Name of Parliamentary Constituency	Name and address of contesting candidate	Reason for disqualification	
1.	2.	3.	4.
1. 1—Mayurbhanj (ST)	Sh. Guru Charan Naik, At—Tulasichoura, Ward No. 14, P.O.—Baripada, District—Mayurbhanj, Orissa.	Failed to lodge the account of election expenses.	
2. 8—Puri	Sh. Chintamani Pujapanda, Gudia Sahi, PO/District—Puri, Orissa.	-do-	
3. 20—Sundargarh (ST)	Sh. Mohan Samanta, At. Kendudihi, P.O.t Kalaiposh. District—Sundargarh, Orissa.	-do-	

[No. 76/OR-HP/97(4)

By order,

GHANSHYAM KHOHAR, Secy.

नई दिल्ली, 8 अप्रैल, 1997

आ.ओ. 93.—लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की भारा 13क की उपधारा (1) द्वारा प्रकृत अनियतों का प्रयोग करते हुए, भारत निवाचन आयोग मध्य प्रदेश सरकार के परामर्श से, श्री रणधीर सिंह के स्थान पर श्री ए. के. विजयवर्गीय, आई.ए.एस. (1969) अध्यक्ष, माध्यमिक शिक्षा, मध्य प्रदेश, भोपाल को मुख्य निवाचन अधिकारी के रूप में, उनके कार्यभार शहर करने की नारीख से और आगले आदेशों तक इसके द्वारा नामित करता है।

2 श्री ए.के. विजयवर्गीय के अधीन सभी पदभार या किसी कार्य के पदभारों को तत्काल सौंप दें या धारण करना समाप्त कर दें जो कि वे ऐसा पदभार शहर करने से पहले धारण कर रहे थे।

3. श्री ए.के. विजयवर्गीय मुख्य निवाचन अधिकारी मध्य प्रदेश के रूप में कार्य करते हुए मध्य प्रदेश सरकार के अधीन किसी भी प्रकार का कोई अतिरिक्त कार्यभार नहीं शहर करेंगे सिवाय इसके कि उनको राज्य सचिवालय में निवाचन विभाग के प्रभागों सरकार के सचिव नामित किया जायेगा।

[मं. 154/म.प्र./97]

आदेश से,

सी. मार. ब्रह्मम, सचिव

[No. 154/MP/97]

By Order,

C. R. BRAHMAM, Secy.